

for erection of a Civil War memorial thereafter; to the Committee on the District of Columbia.

1316. By Mr. RABAUT: Petition of the Armistice Day Committee of the City of Detroit, favoring the joint observance of Armistice Day as Armistice-Victory Day; to the Committee on the Judiciary.

1317. Also, petition of the Michigan Association of Lutheran Men's Clubs, opposing the naming of October 31 as National Arthritis Day because it is the historic date of Luther's Reformation; to the Committee on the Judiciary.

1318. Also, petition of Beal V. Pittenger Post, No. 119, American Legion, Department of Michigan, favoring legislation to provide for the granting of accumulated leave to enlisted personnel in the armed services on the same basis as it is now granted to commissioned officers; to the Committee on Military Affairs.

1319. By Mr. WELCH: Petition of the Ladies of the Grand Army of the Republic of San Francisco, urging the passage of Senate Joint Resolution 50; to the Committee on the District of Columbia.

## SENATE

WEDNESDAY, NOVEMBER 14, 1945

(Legislative day of Monday, October 29, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, our thoughts are sobered by the vastness of our commission as we are here called to engage in an enterprise which reaches to the ends of time and affects all men and all lands. Create in us, we beseech Thee, the strength and splendor of loyalties which cannot be shaken and of those integrities of the soul which shall be our support in any confusion and our light in any darkness.

Grant Thy consoling grace to the bereaved family of that one who in this Chamber for so long served faithfully and well his State, his Nation, and his fellow men. We think tenderly of him this day and cherish his memory as the mortal habitation of his choice spirit is being carried across his native land to the soil of the State he honored. Thanks be to God that such have been, though they are here no more! Leaving an enduring record of public devotion and the benediction of a noble character, now that for him the busy world is hushed, vouchsafe to him, O Lord, light and peace and joy as he mounts from glory to glory in the life everlasting. We ask it in the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, November 13, 1945, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

A message in writing from the President of the United States was communi-

cated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On November 9, 1945:

S. 979. An act for the relief of the estate of Mrs. Lillian Epstein.

On November 10, 1945:

S. 542. An act for the relief of Mrs. Minnie A. Beltz;

S. 1076. An act to provide for the reimbursement of certain Navy personnel and former Navy personnel for personal property lost or destroyed as the result of a fire which occurred on the naval station, Tutuila, American Samoa, on October 20, 1943;

S. 1102. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the United States naval convalescent hospital, Banning, Calif., on March 5, 1945;

S. 1103. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in Quonset hut No. 2, Hamaoaze House, Plymouth, Devon, England, on December 31, 1944;

S. 1118. An act for the relief of First Lt. Jack Sanders, United States Marine Corps Reserve, for the value of personal property destroyed as the result of an explosion at Camp Lejeune, N. C., on January 22, 1945;

S. 1119. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in building No. 146 at the naval operating base, Bermuda, on April 26, 1945; and

S. 1134. An act to reimburse certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal property lost or damaged as the result of a fire in buildings 102 and 102-A in Utulei, Tutuila, American Samoa, on August 17, 1944.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. John Thomas, late a Senator from the State of Idaho.

The message also communicated to the Senate the intelligence of the death of Hon. James W. Mott, late a Representative from the State of Oregon, and transmitted the resolutions of the House thereon.

### LEAVE OF ABSENCE FOR SENATORS EN- GAGED IN PEARL HARBOR INVESTIGATION

Mr. BARKLEY. Mr. President, at 10 o'clock tomorrow morning the Joint Committee to Investigate the Attack on Pearl Harbor will begin open public hearings. The hearings will probably last for several weeks and it is contemplated that the committee will sit morning and afternoon. I therefore ask unanimous consent that the Senate members of the committee, the Senator from Georgia [Mr. GEORGE], the Senator from Illinois [Mr. LUCAS], the Senator from Maine [Mr. BREWSTER], the Senator from Michigan [Mr. FERGUSON], and the Senator from Kentucky [Mr. BARKLEY], be excused during the public hearings on that subject from attendance at the sessions of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### NOTICE OF HEARING ON NOMINATION OF ARTHUR J. MELLOTT TO BE UNITED STATES DISTRICT JUDGE, DISTRICT OF KANSAS

Mr. MURDOCK. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, notice is hereby given that a public hearing has been scheduled for Wednesday, November 21, 1945, at 10:30 a. m., in the Senate Judiciary Committee room in the Capitol Building, upon the nomination of Arthur J. Mellott, of Kansas, to be United States district judge for the District of Kansas, to fill a new position. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Ohio [Mr. HUFFMAN], and the Senator from Nebraska [Mr. WHERRY].

### UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore. The Chair lays before the Senate a message received yesterday from the President of the United States relating to the United Nations Relief and Rehabilitation Administration, which, in view of the fact that it was read in the House yesterday, will without objection be printed in the Record without reading and referred to the Committee on Foreign Relations.

There being no objection, the message was referred to the Committee on Foreign Relations and ordered to be printed in the Record, as follows:

### To the Congress of the United States of America:

This country has pledged itself to do all that is reasonably possible to alleviate the suffering of our war-torn allies and to help them begin the task of restoring their economic productivity. The United Nations Relief and Rehabilitation Administration is one of the most important instrumentalities for accomplishing this great task.

As I stated in my message to the Congress on September 6, 1945, the 47 nations of the Council of United Nations Relief and Rehabilitation Administration determined at their third meeting in London last August that contributions beyond those originally made would be necessary if we expect to complete the minimum tasks assigned to UNRRA. The Council recommended, on the motion of the United States Delegate, that each member country, whose territory had not been invaded by the enemy, should contribute an additional amount equal to 1 percent of its national income for the fiscal year 1943.

In accordance with this recommendation, the United States share would be \$1,350,000,000, matching our original contribution authorized by the act of Congress of March 28, 1944.

The original contributions of all the member nations have been applied principally to the activities of UNRRA in providing relief and rehabilitation assistance to the countries of eastern and southeastern Europe, and to the care of

United Nations' displaced persons stranded in enemy territory. UNRRA, of course, does not undertake relief or rehabilitation responsibilities in either Germany or Japan.

The invaded countries of northwest Europe, comprising France, Belgium, Holland, Denmark, and Norway, by and large, possess sufficient resources in foreign currency and credit to acquire their own essential imports from abroad. Direct assistance to northwest Europe is, therefore, not being furnished by UNRRA.

Poland, Czechoslovakia, Yugoslavia, Greece, and Albania, on the other hand, not only have suffered greatly at the hands of the enemy in the course of the war but they are almost entirely without foreign exchange or credit resources. Consequently to date they have been the chief objects of UNRRA's activity.

UNRRA has undertaken a limited program of \$50,000,000 in Italy to provide for the health and care of children, and expectant or nursing mothers.

Italy, since her participation in the war as a cobelligerent with the United Nations, has contributed substantially in both manpower and facilities to the Allied victory, becoming, at the same time, one of the most severely contested battlefields of the war. The destitution and needs there are appalling. Italy has virtually no foreign exchange resources and without the aid of UNRRA the country might well lapse into starvation.

UNRRA has also assisted in the care and repatriation of millions of allied victims of Axis aggression who were deported to and enslaved in Germany. It has initiated a preliminary program of assistance to China.

By the end of this year UNRRA anticipates that all the funds which will be made available to it from all sources in accordance with the original contributions will have been spent or encumbered. The flow of supplies purchased with these funds cannot last beyond the early spring.

The end of the war with Japan has made it possible to estimate the magnitude of the relief requirements of China and other far eastern areas. Reports on the European harvest of 1945 reveal a serious shortage of all types of food-stuffs.

China presents the largest of all the relief responsibilities which UNRRA now faces. With inadequate supplies and resources it has struggled bravely for 8 years to combat the enemy as well as the ravages of famine, diseases, and inflation. Other programs are required for Korea and Formosa, two areas of the Far East which are now being restored to the peaceful ranks of the United Nations after decades of Japanese oppression and extortion.

UNRRA proposes the extension of aid to Austria. This proposal is in accordance with the Moscow and Potsdam Declarations by the major powers to the effect that Austria should be treated independently of Germany and encouraged to resume the free and peaceful role

which it played before being invaded by Hitler's legions.

A limited program of aid is also intended for the Soviet Republics of White Russia and the Ukraine. These areas constituted the principal battlefields in the struggle between Russia and Germany. They were the scene of some of the worse German atrocities, devastation, and pillage.

The recommended additional contributions will hardly suffice to permit UNRRA to meet the most urgent and immediate needs for relief and rehabilitation for which it is responsible. We hope to fulfill a substantial part of this contribution through the use of military and lend-lease supplies which have become surplus since the surrender of our enemies.

I know that America will not remain indifferent to the call of human suffering. This is particularly true when it is suffering on the part of those who by sacrifice and courage kept the enemy from realizing the fruits of his early victories and from bringing his military might to bear upon our own shores.

UNRRA is the chosen instrument of forty-seven United Nations to meet the immediate relief and rehabilitation needs of the invaded countries.

UNRRA is the first of the international organizations to operate in the postwar period, one which the United States originally sponsored and in which it has played a leading part. Apart from purely humanitarian considerations, its success will do much to prove the possibility of establishing order and cooperation in a world finally at peace.

I, therefore, request the Congress to authorize a new appropriation of \$1,350,000,000 for participation in the activities of UNRRA.

HARRY S. TRUMAN.

THE WHITE HOUSE,  
November 13, 1945.

#### RESIGNATION OF SENATOR CHANDLER

The PRESIDENT pro tempore. The Chair lays before the Senate a copy of a letter dated October 30, 1945, addressed to the Governor of Kentucky by the Honorable Albert B. Chandler, then a Senator from that State, submitting his resignation as a Senator, effective November 1, 1945, which will lie on the table.

#### REFERENCE OF EXECUTIVE NOMINATIONS

The PRESIDENT pro tempore. The Chair will refer to the appropriate committees, as in executive session, certain nominations received yesterday from the President of the United States.

#### ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, November 14, 1945, he signed the following enrolled bills, which had been signed previously by the Speaker of the House of Representatives:

S. 940. An act to provide for terms of the District Court of the United States for the District of Nevada; and

S. 1199. An act conferring jurisdiction upon the United States Court for the Middle

District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of W. L. Freeman.

#### REPORT OF COMMISSION ON ERECTION OF MEMORIALS AND ENTOMBMENT OF BODIES IN THE ARLINGTON MEMORIAL AMPHITHEATER

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Military Affairs, as follows:

*To the Congress of the United States:*

In compliance with the requirements of the Public Act No. 397, Sixty-sixth Congress, I transmit herewith the Annual Report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater.

HARRY S. TRUMAN.

THE WHITE HOUSE, November 12, 1945.

[The report accompanied a similar message to the House of Representatives.]

#### EXECUTIVE COMMUNICATIONS, INC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

#### SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report (list No. 1) stating all of the facts and pertinent provisions of law in the cases of 70 aliens whose deportation has been suspended for more than 6 months by former Attorney General Biddle, and a report (list No. 2) showing all of the facts and pertinent provisions of law in the cases of 182 aliens whose deportation has been suspended for more than 6 months by Attorney General Clark, together with a statement of the reasons for such suspension (with accompanying reports); to the Committee on Immigration.

#### ACTS OF LEGISLATURE OF PUERTO RICO

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a volume comprising the acts of the first special session of the Sixteenth Legislature of Puerto Rico, January 11, 1945, and the acts of the first regular session of the Sixteenth Legislature of Puerto Rico, February 12 to April 15, 1945 (with an accompanying volume); to the Committee on Territories and Insular Affairs.

#### REPORT OF NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1945 (with an accompanying report); to the Committee on Printing.

#### REPORT OF OFFICE OF PRICE ADMINISTRATION

A letter from the Administrator of the Office of Price Administration, transmitting, pursuant to law, the fourteenth report of the Office of Price Administration, covering the period ended June 30, 1945 (with an accompanying report); to the Committee on Banking and Currency.

#### STRATEGIC AND CRITICAL MATERIALS

A letter from Deputy Executive Chairmen of the Army and Navy Munitions Board, relating to the inclusion of uranium in a list of strategic and critical materials, transmitted to the Senate by the Board on January 2, 1945; to the Committee on Military Affairs.



# AMENDMENT TO THE CHARTER OF PETROLEUM RESERVES CORPORATION

A letter from the Secretary of the Senate, transmitting for the information of the Senate, a letter from the Reconstruction Finance Corporation, transmitting, pursuant to law, two certified copies of an amendment made by the Reconstruction Finance Corporation to the Charter of the Petroleum Reserves Corporation (with accompanying papers); ordered to be filed.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter in the nature of a memorial from Jane Armington, of Chicago, Ill., remonstrating against the enactment of legislation providing for the return of the United States Employment Service to the States; to the Committee on Appropriations.

A letter in the nature of a memorial from Mr. and Mrs. Frank Wagner, remonstrating against the enactment of legislation providing for peacetime compulsory military training; to the Committee on Military Affairs.

A resolution adopted at the sixty-first annual meeting of the Indiana Academy of Science, Indianapolis, Ind., favoring the enactment of the bill (H. R. 4006) authorizing the execution of plans for a permanent memorial to Benjamin Harrison; to the Committee on the Library.

A petition of sundry citizens of the United States, praying revision of certain amendments to Senate Joint Resolution 69, to provide for the preparation and publication as an official document of railroad cost scales or tables and related information; to the Committee on Interstate Commerce.

A telegram from the Committee for Relief to Austria and Germany, signed by O. R. Hauser, chairman, Milwaukee, Wis., embodying a resolution adopted by 3,500 Americans in mass meeting assembled in Milwaukee, Wis., favoring communication with Germany and Austria be restored so as to permit the collection of food, clothing, and medical supplies for Germany and Austria; to the Committee on Foreign Relations.

A telegram in the nature of a petition from the American Slav Congress of Western Pennsylvania, Pittsburgh, Pa., praying the immediate appropriation of \$550,000,000 for the relief of the stricken people of liberated Europe; to the Committee on Appropriations.

By Mr. WALSH:

A resolution adopted by the Suffolk County Christian Endeavor Union, of Boston, Mass., favoring recall of the President's personal representative to the Vatican; to the Committee on Foreign Relations.

A resolution adopted by the Women's Union Club, of Fall River, Mass., favoring the enactment of legislation providing old-age assistance; to the Committee on Finance.

A resolution adopted by the executive board of Local No. 11, United Packing House Workers of America, of Boston, Mass., relating to America's foreign policy; to the Committee on Foreign Relations.

## PEACETIME COMPULSORY MILITARY TRAINING

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter from Rev. L. R. Templin, of Winfield, Kans., and a report of the Central Kansas Conference of the Methodist Church, Salina, Kans., relating to peacetime compulsory military training.

There being no objection, the letter and report were received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

WINFIELD, KANS., November 8, 1945.  
Senator CLYDE M. REED,  
Washington, D. C.

DEAR SENATOR REED: I am sending you a copy of the section of a report on world peace, dealing with the matter of universal military training, passed by the Central Kansas Conference of the Methodist Church in its recent session. The conference covers the west two-thirds of the State, has a few more than 100,000 members, and in the recent session was represented by the ministers and lay members who are leaders in the conference. Your continued support of a reasonable program that will help build the atmosphere in which world peace can be maintained will be appreciated.

Sincerely,

L. R. TEMPLIN,  
Minister, Secretary of the Central  
Kansas Conference of the Methodist Church.

We view with grave concern the proposal that we should abandon one of the basic policies of our national life and introduce into our American economy the principle and practice of peacetime universal compulsory military training. It is an impressive fact that the first step which led Germany, Italy, and Japan on the road to tragedy was the initiation of such a program for their youth. The people of the United States of America would be well-advised to beware of starting down the same bitter tragic road.

We believe that it would be a much wiser policy if we should set ourselves to conserve the health of all of our people, make certain that every American youth has the advantage of a first-class regiment of physical training and basic general education, in order that we may develop a body of citizens with vigorous bodies, sound minds, and characters disciplined for the responsibilities of citizenship.

We would respectfully urge that our Government throw its influence back of the proposal that the United Nations, by international agreement, abolish all universal compulsory military training throughout the world, and seek through the rigid control of the manufacture and distribution of implements and munitions of war, coupled with the development of juridical processes for dealing with international tensions and conflicts of interest, and progressive reduction of the armed establishments of the various nations, provide the means effectually to prevent the breaking of the peace of the world by any power or group of powers.

We therefore recommend that the Central Kansas Annual Conference express its judgment that the United States of America should not introduce universal peacetime compulsory military training.

We therefore recommend that the secretary of the Central Kansas Annual Conference of the Methodist Church be instructed to communicate with the representatives of the State of Kansas in the Senate and House of Representatives, urging them to vote against any proposal for the introduction of peacetime compulsory universal military training at this time; and that they support every measure that, in their judgment, will strengthen the cooperation of the United States of America with the other United Nations in harmony with the principles expressed in the Atlantic Charter and the preamble to the Charter of the United Nations. (From a report on world peace adopted by

the Central Kansas Conference of the Methodist Church, Salina, Kans., September 26-30, 1945.)

## PRICE CONTROLS BY OFFICE OF PRICE ADMINISTRATION

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD copies of a letter from myself to Mr. Chester Bowles, Administrator of the Office of Price Administration, and a telegram to me from Mr. H. H. Mack, of the Mosby Mack Motor Co., of Topeka, Kans.

The letter expresses the fear that Mr. Bowles, in his zeal to hold the line on prices, is pursuing a policy that is likely to retard production and thereby increase the inflationary pressure, rather than retard it.

There being no objection, the letter and telegram presented by Mr. CAPPER were received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

NOVEMBER 13, 1945.

Mr. CHESTER BOWLES,  
Administrator, Office of Price Administration, Washington, D. C.

DEAR MR. BOWLES: I am enclosing a copy of a telegram I have just received from Mr. H. H. Mack, Mosby Mack Motor Co., of Topeka, Kans. I believe it is self-explanatory.

I realize the difficulty, and even some danger of immediate inflation, in releasing price controls too suddenly. But I would like to suggest that if the retention of controls is retarding production, later on it may be more difficult and more dangerous (from the inflationary angle) to release these controls.

I am sure that you do not believe the way to solve the problem and prevent inflation is to continue price controls indefinitely. The best answer to high prices is an increased supply of goods. When that supply approaches the demand, the price problem is on its way to a sound solution, in my judgment.

I am aware that you are in closer touch with this situation than I am, but at the same time I feel that every effort should be made to eliminate price controls at the earliest possible moment. And the longer it is postponed, the harder it will be to let go.

Sincerely,

ARTHUR CAPPER.

NOVEMBER 10, 1945.

Senator ARTHUR CAPPER,  
Mayflower Hotel, Washington, D. C.:

As a merchant of automotive equipment and other heavy goods we are finding there is no supply of goods because OPA price regulations won't permit manufacturers to make them at a profit. This situation is becoming alarming. It is our sincere belief that the manufacturer and all others who have any part in distribution of goods to the consuming public will have to have a proper compensation that will more than equal cost and leave something for a profit or the whole scheme is going to bog down. I also observe that the public is anxious to buy the things they need and are willing to pay a fair price for them. Any further delay caused from sidestepping the facts is doing much more harm than good. The Congress of the United States is the only hope the people have left.

H. H. MACK,  
Mosby Mack Motor Co.,  
Topeka, Kans.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. OVERTON, from the Committee on Commerce:

H. R. 1902. A bill to amend section 4 of the act entitled "An act for the control of floods on the Mississippi River and its tributaries and for other purposes," approved May 15, 1928; without amendment (Rept. No. 718).

By Mr. MAGNUSON, from the Committee on Commerce:

S. 1516. A bill to amend section 12 of the Bonneville Project Act, as amended; without amendment.

By Mr. McKELLAR, from the Committee on Appropriations:

H. R. 4407. A bill reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes; with amendments (Rept. No. 719).

From the Committee on Post Offices and Post Roads:

H. R. 304. A bill to amend the act authorizing postmasters in Alaska to administer oaths and affirmations; with an amendment (Rept. No. 720);

H. R. 697. A bill relating to clerical assistance at post offices, branches, or stations serving military and naval personnel, and for other purposes; with amendments (Rept. No. 723);

H. R. 2543. A bill to require weekly newspapers enjoying mailing privileges to make sworn statements with respect to their circulation; without amendment (Rept. No. 724);

H. R. 3709. A bill to amend section 2 of the act of May 29, 1928, and section 3 of the act of March 29, 1944, affecting the compensation of postmasters; with an amendment (Rept. No. 721); and

H. R. 4127. A bill to amend the act entitled "An act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, as amended; with an amendment (Rept. No. 722).

By Mr. BILBO, from the Committee on the District of Columbia:

S. 1189. A bill to provide for voluntary apprenticeship in the District of Columbia; without amendment (Rept. No. 725);

S. 1212. A bill to amend section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940; without amendment (Rept. No. 723);

S. 1278. A bill to provide for the taxation of rolling stock of railroad and other companies operated in the District of Columbia, and for other purposes; without amendment (Rept. No. 727);

H. R. 2874. A bill to amend the Code of Laws for the District of Columbia to authorize any corporation formed under authority of subchapter 3 of chapter 18 of such code to specify in its bylaws that a less number than a majority of its trustees may constitute a quorum for the transaction of the business of the corporation; without amendment (Rept. No. 728);

H. R. 3636. A bill relating to the sale, in the District of Columbia, of certain small rockfish; without amendment (Rept. No. 729);

H. R. 3867. A bill to amend the Code of Laws for the District of Columbia with respect to the making and publishing of annual reports by trust companies; without amendment (Rept. No. 730);

H. R. 3868. A bill to provide that veterans may obtain copies of public records in the District of Columbia, without the payment of any fees, for use in presenting claims to the Veterans' Administration; without amendment (Rept. No. 731);

H. R. 3873. A bill to provide for the opening of a road within the boundaries of the District of Columbia Training School property in Anne Arundel County, Md.; without amendment (Rept. No. 732);

H. R. 3979. A bill to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended; without amendment (Rept. No. 733); and

H. J. Res. 236. Joint resolution providing for the continuance of the tax-exempt status of certain property in the District of Columbia when used and occupied by any department, agency, or instrumentality of the United States of America or by the American Red Cross; without amendment (Rept. No. 734).

By Mr. WHERRY, from the Committee on Claims:

S. 845. A bill for the relief of Mabel Fowler; without amendment (Rept. No. 735).

By Mr. ELLENDER, from the Committee on Claims:

H. R. 2310. A bill for the relief of James A. Brady; without amendment (Rept. No. 736);

H. R. 2512. A bill for the relief of Helen Alton and Edwin Alton; without amendment (Rept. No. 737);

H. R. 2335. A bill for the relief of Albert E. Severns; with an amendment (Rept. No. 738); and

H. R. 2835. A bill for the relief of James Lynch; with an amendment (Rept. No. 739).

By Mr. HUFFMAN, from the Committee on Claims:

H. R. 2810. A bill for the relief of Mrs. Stuart B. Riley; without amendment (Rept. No. 740).

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 1586. A bill for the relief of Troy Charles Davis, Jr.; to the Committee on Claims.

By Mr. MITCHELL:

S. 1587. A bill to provide for the immediate release of all fathers from the armed forces; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 1588. A bill for the relief of Mrs. Lona Wilson; to the Committee on Claims.

S. 1589. A bill to authorize the Secretary of War to convey certain lands situated within Fort William Henry Harrison to the State of Montana; to the Committee on Military Affairs.

By Mr. BARKLEY:

S. 1590. A bill to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites; to the Committee on Naval Affairs.

By Mr. ELLENDER (by request):

S. 1591. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, Chief Disbursing Officer; to the Committee on Claims.

(Mr. WAGNER (for himself, Mr. ELLENDER, and Mr. TAFT) introduced Senate bill 1592, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

(Mr. YOUNG (for himself and Mr. KILGORE) introduced Senate bill 1593, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. VANDENBERG:

S. 1594. A bill granting an increase of pension to Mrs. Mary Davis (with accompanying papers); to the Committee on Pensions.

By Mr. McMAHON (by request):

S. 1595. A bill for the relief of the estate of Warren Gilbert Dugan; to the Committee on Claims.

By Mr. BARKLEY (for Mr. TAYLOR and Mr. MURRAY):

S. 1596. A bill to amend the Gold Reserve Act of 1934, to provide for the coinage of gold, and for other purposes; to the Committee on Banking and Currency.

## AMENDMENT OF SOCIAL SECURITY ACT

Mr. YOUNG. Mr. President, on behalf of the Senator from West Virginia [Mr. KILGORE] and myself, I ask unanimous consent to introduce for appropriate reference a bill to amend the Social Security Act, as amended, for the purpose of permitting States, and political subdivisions and instrumentalities thereof, to secure coverage for their officers and employees under the old-age and survivors insurance provisions of such act.

In connection with the bill, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the League of North Dakota Municipalities.

The PRESIDENT pro tempore. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred; and without objection, the resolution will be appropriately referred and printed in the RECORD.

The bill (S. 1593) to amend the Social Security Act, as amended, for the purpose of permitting States, and political subdivisions and instrumentalities thereof, to secure coverage for their officers and employees under the old-age and survivors insurance provisions of such act, introduced by Mr. YOUNG (for himself and Mr. KILGORE), was read twice by its title and referred to the Committee on Finance.

The resolution presented by Mr. YOUNG was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas the Congress of the United States has enacted certain legislation commonly known as social-security legislation, by the terms of which a fund is created by deduction from the wages of employees and by payments by employers, by which employees reaching certain ages may retire from active work and receive the benefits by way of monthly payments from the social-security fund; and

Whereas such legislation as enacted by the Congress does not include public employees and no provision is made by law for the creation of any retirement or pension funds for people in the service of municipalities and other public employment: Now, therefore, be it

*Resolved by the League of North Dakota Municipalities*, That we jointly and individually urge our Senators and Representatives to present, and, if possible, procure, an amendment to the social-security laws of the United States, to the end that public employees may be included therein and may receive the same benefits therefrom as people engaged in private employment.

## RESOLUTIONS COMMITTEE,

CURTIS OLSON,

Mayor, Valley City; Chairman.

A. G. PORTER,

City Attorney for La Moure, Kulm, and Edgeley; Member.

M. W. GACKLE,

Mayor, Kulm; Member.

L. E. CORRELL,

City Auditor, Casselton; Member.

C. L. FOSTER,

City Attorney, Bismarck; Member.



# APPLICATION OF CAPITAL GAINS TAX— LETTER FROM RUDOLF CALLMANN AND PAUL TILLICH

Mr. McMAHON. Mr. President, a few months ago I sponsored legislation to close up a loophole in the tax laws which permitted certain classes of aliens to escape payment of taxes. This proposal has been pending, not being pushed by me due to the fact that the Treasury Department has said it will take care of the matter under regulations which they have issued. I am waiting for a report from them to see how well they have accomplished their job.

The measure which I introduced has apparently been taken advantage of by a few bigots who would spread dissension in the United States by applying a class and racial angle where it is totally unwarranted. This effort I repudiate and deplore. I, therefore, should like to have inserted in the RECORD, following my remarks, a letter addressed to me under date of November 9, signed by Paul Tillich and Rudolf Callmann which bears upon the subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., November 9, 1945.  
The Honorable BRIEN McMAHON,  
United States Senate,  
Washington, D. C.

DEAR SENATOR: This letter is written on behalf of two major national organizations of refugees from nazism in the United States, the American Federation of Jews from Central Europe, comprising 40 organizations of immigrants throughout the country, and Selfhelp of Emigres from Central Europe, a nonsectarian organization.

As you may be aware, your proposal to apply the capital gains tax to persons residing in the United States for extended periods on temporary visas has been used as a springboard for groundless attacks in some newspapers directed against the refugees in this country as a whole. Knowing your splendid record as an enlightened and fair-minded legislator, we realize that these attacks are completely at variance with your purpose in sponsoring this proposal. We, therefore, feel that you will be interested in our views on the matter.

May we assure you that the principle underlying your proposal, to close a possible loophole in our existing tax laws, has the full approval of our organizations.

This legislation would affect few, if any of our members, or of the refugees generally, because the overwhelming majority of the 250,000 refugees in the United States entered as quota immigrants and are, therefore, subject to the capital gains and all other taxes. We, nevertheless, have an interest in the matter since misinterpretation of these facts may reflect unjustly on the new Americans.

They pay their taxes with the same good will and spirit of gratitude to America that they feel in serving in this country's armed forces and performing all other civic duties. Their interest in this matter is identical with that of every American that all who enjoy the privilege of living in this country shall meet the obligations entailed in that privilege.

Respectfully,

RUDOLF CALLMANN,  
President American Federation of  
Jews from Central Europe, Inc.  
Dr. PAUL TILLICH,  
President Selfhelp of Emigres from  
Central Europe, Inc.

# A CHANCE FOR PEACE—ADDRESS BY SENATOR BALL

[Mr. BALL asked and obtained leave to have printed in the RECORD an address entitled "A Chance for Peace," delivered by him before the Cincinnati Foreign Policy Institute on November 9 at Cincinnati, Ohio, which appears in the Appendix.]

# PEACETIME COMPULSORY MILITARY TRAINING—ADDRESS BY SENATOR LA FOLLETTE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address on the subject of peacetime compulsory military training, delivered by him at the Central Teachers College, Stevens Point, Wis., on November 8, 1945, which appears in the Appendix.]

# CONTROL OF THE USE OF ATOMIC EN- ERGY—BROADCAST FROM PRINCETON UNIVERSITY

[Mr. SMITH asked and obtained leave to have printed in the RECORD a broadcast in which he participated, from Princeton University, Princeton, N. J., on November 11, 1945, on the subject The Control of the Use of Atomic Energy, which appears in the Appendix.]

# THE BATTLE FOR PEACE—ADDRESS BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a radio address on the topic The Battle for Peace, delivered by him on the program Congress Speaks, on November 13, 1945, which appears in the Appendix.]

# MINIMUM WAGE RATES—STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement regarding Senate bill 1349, the minimum-wage bill, made by him before the Senate Committee on Education and Labor on October 16, 1945, which appears in the Appendix.]

# RESETTLEMENT OF PALESTINE—ADDRESS BY HENRY MORGENTHAU, JR.

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by the former Secretary of the Treasury, Hon. Henry Morgenthau, Jr., at a dinner given in his honor by B'nai B'rith, on November 7, 1945, at the Hotel Astor in New York, which appears in the Appendix.]

# ARMISTICE DAY ADDRESS BY EDWARD M. SCHEIBERLING

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered on Armistice Day, November 11, 1945, by Edward M. Scheiberling, national commander of the American Legion, at the tomb of the Unknown Soldier in Arlington National Cemetery, which appears in the Appendix.]

# TRIBUTE TO MOUNTAINS BY JANE MARIE SURFACE

[Mr. STEWART asked and obtained leave to have printed in the RECORD an article entitled "I Love Mountains," by Jane Marie Surface, from the Washington Sunday Star of November 11, 1945, which appears in the Appendix.]

# LABOR UNIONS AND POLITICS—EDI- TORIALS FROM THE FAIRMONT (W. VA.) TIMES

[Mr. KILGORE asked and obtained leave to have printed in the RECORD editorials entitled "Labor Unions and Politics" and "Political Education," published in the Fairmont (W. Va.) Times for October 23 and October 13, 1945, respectively, which appear in the Appendix.]

# TOMB OF THE UNKNOWN WARRIORS— EDITORIAL FROM THE DETROIT TIMES

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an editorial entitled "Tomb of the Unknown Warriors," from the Detroit Times of November 12, 1945, which appears in the Appendix.]

# RELATION OF WAGES AND PRICES—EDI- TORIAL FROM THE PHILADELPHIA REC- ORD

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Drop Anchor but Full Speed Ahead," published in the Philadelphia Record, which appears in the Appendix.]

# CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Andrews	Hart	O'Daniel
Austin	Hatch	O'Mahoney
Ball	Hawkes	Overton
Barkley	Hayden	Radcliffe
Bilbo	Hickenlooper	Reed
Brewster	Hill	Russell
Bridges	Hoey	Saltonstall
Buck	Huffman	Shipstead
Bushfield	Johnson, Colo.	Smith
Byrd	Kilgore	Stewart
Capper	Knowland	Taft
Carville	La Follette	Thomas, Okla.
Chavez	Lucas	Tunnell
Connally	McClellan	Tydings
Cordon	McKellar	Vandenberg
Donnell	McMahon	Wagner
Downey	Magnuson	Walsh
Eastland	Mead	Wheeler
Ellender	Millikin	Wherry
Ferguson	Mitchell	Wilson
Fulbright	Moore	Young
Green	Morse	
Guffey	Murdock	
Gurney	Myers	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Arizona [Mr. McFARLAND] is absent because of illness in his family.

The Senator from Utah [Mr. THOMAS] has been appointed a delegate to the International Labor Conference in Paris, and is therefore necessarily absent.

The Senator from Montana [Mr. MURRAY] is attending the conference in London to consider the creation of an educational and cultural organization of the United Nations.

The Senator from Nevada [Mr. McCARRAN] and the Senator from Florida [Mr. PEPPER] are detained on official business.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Missouri [Mr. BRIGGS], the Senator from Georgia [Mr. GEORGE], and the Senator from Rhode Island [Mr. GERRY] are necessarily absent.

The Senators from South Carolina [Mr. JOHNSTON and Mr. MAYBANK] are detained on public business.

The Senator from Idaho [Mr. TAYLOR] is a member of the committee on the part of the Senate attending the funeral of the late Senator Thomas of Idaho, and is therefore necessarily absent.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from

North Dakota [Mr. LANGER], and the Senator from Wyoming [Mr. ROBERTSON] are members of the Senate committee attending the funeral of the late Senator Thomas of Idaho.

The Senator from Vermont [Mr. AIKEN] has been excused until November 20 for reasons heretofore stated.

The Senator from Indiana [Mr. CAPEHART] is unavoidably absent because of injuries resulting from an accident.

The Senator from West Virginia [Mr. REVERCOMB] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The PRESIDING OFFICER (Mr. HOEY in the chair). Seventy Senators having answered to their names, a quorum is present.

# PAYMENT FOR ACCUMULATED OR ACCRUED LEAVE TO CERTAIN MEMBERS OF THE MILITARY AND NAVAL FORCES—CONFERENCE REPORT

Mr. DOWNEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1036) to provide for the payment of accumulated or accrued leave to certain members of the military and naval forces of the United States, who enter or reenter civilian employment of the United States, its Territories or possessions, or of the District of Columbia, before the expiration of such leave, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the Act entitled 'An Act making provisions for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States', approved August 1, 1941, as amended April 7, 1942 (56 Stat. 200), is further amended by adding at the end thereof a new section as follows:

"Sec. 2. (a) Any person, who, subsequent to May 1, 1940, shall have performed active service in the armed forces, may, while on terminal leave pending separation from or release from active duty in such service under honorable conditions, enter or reenter employment of the Government of the United States, its Territories or possessions, or the District of Columbia (including any corporation created under authority of an Act of Congress, which is either wholly controlled or wholly owned by the Government of the United States, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), and, in addition to compensation for such employment, shall be entitled to receive pay and allowances from the armed forces for the unexpired portion of such terminal leave at the same rates and to the same extent as if he had not entered or reentered such employment.

"(b) Any such person who, prior to the date of enactment of this section, entered or reentered such employment without having used all accumulated and current accrued leave to which he would have been entitled as a result of such service had he

not entered or reentered such employment, shall upon application therefor filed with the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, or the Federal Security Administrator, as the case may be, be entitled to be paid a lump sum equal in amount to the pay and allowances to which he would have been entitled while on terminal leave for the unused portion of such accumulated and current accrued leave had he not entered or reentered such employment.

"(c) Any such person who, while on terminal leave from the armed forces, performed or shall hereafter perform services for the Government of the United States, its Territories or possessions, or the District of Columbia (including any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the Government of the United States, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), for which he would have been entitled to be paid had he regularly become employed or reemployed in a civilian position prior to performing such services, and had he not been receiving pay and allowances from the armed forces for the period during which such services were performed, shall, if he has not otherwise been compensated for such services, be entitled, upon application therefor filed with the General Accounting Office, or, in the case of a person performing such services for a Territory or possession, filed with the appropriate agency or officer of the Government of such Territory or possession, to be paid a lump sum equal in amount to the compensation he would have received for such services had he been regularly employed or reemployed and had he not been receiving pay and allowances from the armed forces.

"(d) Any such person who enters the employment of a State, or any political subdivision thereof, shall upon application therefor filed with the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, or the Federal Security Administrator, as the case may be, be entitled to be paid a lump sum equal in amount to the pay and allowances to which he is entitled for the unused portion of his accumulated and current accrued leave.

"(e) No waiver effectuated prior to the date of enactment of this section of any right to receive any payment to which a person would otherwise be entitled under this section shall operate to deny such person entitlement to such payment.

"(f) As used in this section, the term 'armed forces' includes the Army, Navy, Marine Corps, Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the Coast and Geodetic Survey, and their respective components."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide for the adjustment of the compensation of certain members or former members of the armed forces of the United States who, before the expiration of their terminal leave, have performed, or shall hereafter perform, civilian services for the United States, its Territories or possessions, or the District of Columbia, and for other purposes."

SHERIDAN DOWNEY,

GLEN H. TAYLOR,

THOS. C. HART,

Managers on the Part of the Senate.

ROBERT RAMSPECK,

JENNINGS RANDOLPH,

EDWARD H. REES,

Managers on the Part of the House.

Mr. DOWNEY. I move that the Senate agree to the conference report.

Mr. WHERRY. Mr. President, reserving the right to object, will the Senator explain the question at issue in the conference report?

Mr. DOWNEY. There is a law which prevents any civil-service employee or anyone else from receiving two salaries from the Government. Military personnel and commissioned officers are now coming back who have the right of terminal accrued leave. Many of them desire to go back to work immediately for the Government. The bill allows them to draw their military terminal-leave pay while also drawing civilian pay.

Mr. WHERRY. In other words, it permits them to draw civilian pay even though on terminal leave? Is that correct?

Mr. DOWNEY. That is a better expression of it.

Mr. WHERRY. I thank the Senator.

Mr. DOWNEY. The conference report incorporates certain amendments which Members of both Houses thought were necessary.

Mr. WHEELER. Mr. President, would the report amend the law in any other respect so that a civilian Government employee may draw two salaries from the Government?

Mr. DOWNEY. No; it would affect no one except the military personnel on terminal leave.

Mr. WHERRY. And aside from the technical differences, the meat of the matter is that a person who returns from military service and is discharged, who has terminal leave accruing, can at the same time draw a check from a Government agency for civilian service?

Mr. DOWNEY. Yes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

## AMENDMENT OF SERVICEMEN'S READJUSTMENT ACT OF 1944

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 3749) to amend the Servicemen's Readjustment Act of 1944 to provide for a readjustment allowance for all veterans of World War II, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Colorado. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GEORGE, Mr. CONNALLY, Mr. JOHNSON of Colorado, Mr. LA FOLLETTE, and Mr. MILLIKIN conferees on the part of the Senate.

## "FOUR FREEDOMS" AWARD TO GEN. MARK W. CLARK

Mr. MEAD. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution, a letter and statement made in connection with the annual "four freedoms" award to Gen. Mark W. Clark. First is the resolution adopted by the Italian-American Labor Council, next a letter from President



Truman on the occasion of the presentation of the annual "four freedoms" award to General Clark, then a biographical sketch, containing General Clark's military record, and last a statement of principles by the Italian-American Labor Council.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ITALIAN-AMERICAN LABOR COUNCIL ANNUAL  
"FOUR FREEDOMS" AWARD

Resolution in appreciation and recognition of his—

Magnificent leadership of the historic battles for human liberty and justice—the glorious struggles in the valleys and mountains of Italy which culminated in the full liberation of her people from the cruel yoke of nazism-fascism;

Sympathetic understanding of the intense devotion of the Italian people to democracy and freedom and the great courage and discipline displayed in their long difficult fight against Fascist and Nazi tyranny;

Inspiring the self-reliance and lifting the hopes of the heroic forces of Italian resistance by active encouragement and appropriate esteem of their vital contributions to our common victory over our common enemy, and, thereby

Symbolizing and dramatizing to the entire world America's loyalty and services to the "four freedoms" and her determination to achieve a new creative relationship between the liberty-loving and peaceful peoples of the United States and the new Italy as an unshakable pillar of international security and a dynamic force for the progress and happiness of all mankind.

The Italian-American Labor Council herewith resolves to present to Gen. Mark W. Clark, United States of America, the annual "four-freedoms" award.

LUIGI ANTONINI,  
President.  
JOSEPH PROCOPIO,  
Secretary.

COLUMBUS DAY, 1945.

THE WHITE HOUSE,  
Washington, October 1, 1945.

Mr. LUIGI ANTONINI, President,  
Italian-American Labor Council, Inc.,  
New York, N. Y.

DEAR MR. ANTONINI: It is especially fitting that the Italian-American Labor Council has selected Columbus Day as the day for the presentation of its annual "four-freedoms" award to Gen. Mark W. Clark.

General Clark has rendered superb service in the liberation of the Italian people. Soldier, statesman and humanitarian, he deserves the thanks of all people of Italian blood in this country for all that he has done for the beloved homeland and for those liberated from the heel of the oppressor.

Columbus had vision and courage when he fared forth on the voyage which gave the world two new continents. I have full faith that Italians of the present day will face the heavy task of rehabilitation with the same faith and courage. Please extend to General Clark my hearty congratulations and my warmest greetings to all who gather in his honor.

Very sincerely yours,  
HARRY S. TRUMAN.

MARK W. CLARK

Mark W. Clark was born in Madison, Barre, N. Y., on May 1, 1896, and following graduation from the United States Military Academy, West Point, N. Y., with a bachelor of science degree, was appointed a second lieutenant of Infantry on April 20, 1917.

PROMOTIONS

He was promoted to first lieutenant on May 15, 1917; to captain on November 7, 1919;

to major on January 14, 1933; to lieutenant colonel on July 1, 1940; to brigadier on August 4, 1941; to major general on April 17, 1942; to lieutenant general on November 11, 1942; to general on March 19, 1945.

SERVICE

He first served with the Eleventh Infantry at Chickamauga Park, Ga., until April 1918, when he sailed for France with this regiment, and served at the front until June 1918, when he was wounded in action. He was with the supply section of the General Staff, First Army, from August 1918, until April 1919, taking part in operations at St. Mihiel and in the Meuse-Argonne offensive. His next assignment was with the Service of Supply of the Third Army at Antwerp, Belgium, between April and June 1919, when he joined the Supply Division of the Third Army at Coblenz, Germany. He returned to the United States 1 month later.

He served at Fort Leavenworth, Kans., at the United States disciplinary barracks, in August and September 1919, then moved to Fort Snelling, Minn., with the Forty-ninth Infantry, and to Fort Crook, Nebr., with a part of this regiment in October 1919.

During 1921 he was detailed on a chaquetauqua tour for the Adjutant General's Department and entered the office of the Assistant Secretary of War, Washington, D. C., in October 1921 for a 3-year tour of duty. He then enrolled in the Infantry School, Fort Benning, Ga., and following graduation in May 1925, was assigned to 3 years' duty at the Presidio of San Francisco, Calif., with the Thirtieth Infantry. He served at Fort D. A. Russell (now Francis E. Warren), Wyo., in headquarters of the Fourth Brigade from April 1928 until May 1929, when he was assigned as instructor of the Indiana National Guard at Indianapolis, Ind.

He enrolled in the Command and General Staff School, Fort Leavenworth, Kans., in August 1933 and was graduated from the 2-year course in June 1935. He then was assigned to the Seventh Corps area headquarters, Omaha, Nebr., as Deputy Chief of Staff for the Civilian Conservation Corps, until June 1936. One year later he was graduated from the Army War College, Washington, D. C., and assigned to Staff of the Third Division, at Fort Lewis, Wash. In March 1940 he was assigned as an instructor at the Army College, Washington, D. C. He was ordered to duty with the staff of General Headquarters, at the Army War College, Washington, D. C., in August 1940 and he was assigned as chief of staff of the Army Ground Forces, with headquarters in Washington, D. C., in May 1942.

In June 1942 he became commanding general of the Second Corps and the following month was named to command the ground forces in the European theater of operations. In November 1942 he was announced as deputy commander in chief of forces landing in north Africa and in January 1943 assumed command of the Fifth Army. In December 1944 he was made commanding general of the Fifteenth Army Group in the Mediterranean theater of operations. In June 1945 he was made commander in chief of the United States Occupational Forces in Austria.

DECORATIONS

For World War bravery when wounded in action, he was awarded the Purple Heart.

In November 1942 he was awarded the Distinguished Service Medal with the following citation:

"Mark W. Clark, lieutenant general (then major general), Army of the United States. As deputy commander in chief of the Allied north African force, he rendered distinguished service to the United States Army in connection with the planning and organization for the operations in Africa. As deputy commander of the Allied north African force he carried out a vitally important and hazardous mission to Algiers by sub-

marine and conducted with conspicuous success important negotiations with French officials. In all of these duties he displayed outstanding characteristics of leadership, sound judgment, and soldierly qualities to the honor of the Army of the United States."

He received the award of the Legion of Merit in 1943, with the following citation:

"For exceptionally meritorious conduct in the performance of outstanding service. As Deputy Chief of Staff, General Headquarters, United States Army, and as chief of staff, Headquarters Army Ground Forces, he displayed tireless energy, great resourcefulness and military attainment of a high order in solving with sound judgment, perplexing problems, and assisting in the training of units of the Army Ground Forces. As commanding general of the Second Corps, by his tact, professional efficiency, and leadership he laid the ground work in the European theater for a vast organizational housing and training development for the United States Army Ground Forces. His exceptional military judgment, common sense, devotion to duty, and loyal services were of inestimable value to the theater commander."

ITALIAN-AMERICAN LABOR COUNCIL STATEMENT  
OF PRINCIPLES

1. The Italian-American Labor Council, organized on December 20, 1941, is a national body composed of representatives of AFL and CIO affiliates, and bona fide independent labor unions in whose ranks there is a substantial number of American workers of Italian origin.

2. The Italian-American Labor Council is dedicated to the promotion of democracy, social justice, and sound national unity in our country.

3. It strives to crystallize amongst Americans of Italian descent a virile devotion and loyalty to the ideals of America. Toward the achievement of this end, the Italian-American Labor Council organizes educational and cultural activities in response to issues of national and international character affecting the life of the American people.

4. The Italian-American Labor Council endeavors through its activities, especially in the ranks of American Labor of Italian extraction, to foster the cause of good citizenship and good unionism. We believe that the two are inseparable and supplement each other.

5. As an organization devoted to the ideals of freedom and justice, we hold that a victory for democracy anywhere strengthens democracy everywhere and that a setback for democracy anywhere is a defeat for democracy everywhere. We, therefore, dedicate ourselves to the energetic cooperation between the democratic labor forces of our own country and the genuine democratic labor movements of other lands. In this connection, we are particularly interested in the closest cooperation with and in fostering the growth of the bona fide democratic forces in Italy. Because of our kinship with the people of Italy, we are especially desirous that the ranks of real Italian democracy triumph over all elements and types of totalitarian aspiration, philosophy, and practice—over all forces that have as their goal the imposition of a one-party system in any shape, manner, or form.

6. During the war our slogan was: America's victory is Italy's freedom. Our country has won the war. The Italian people are now free from Nazi-Fascist domination. It is now our task to win the peace. We must transform the fruits of military victory into wholesome and just political, economic, and social gains—into the full realization of the "four freedoms" for the American people, the people of democratic Italy, and all mankind. Through its moral and material contributions to the victory over the common enemy, the new, the democratic Italy has earned its

right to a place of honor and esteem among the free nations of the world—as a full-fledged member of the United Nations.

7. Towards the attainment of this goal it is indispensable that the resurgent democracy in Italy be encouraged and strengthened by the democratic forces of our country. The Italian-American Labor Council pledges its warmest solidarity and help in the rebuilding of a free trade union movement as a bulwark of Italian democracy. We pledge our wholehearted moral and material assistance to all proponents of true democracy in Italy. A really free and democratic Italy is a mighty cornerstone of the edifice of international security and an enduring and just peace in Europe and throughout the world.

8. The Italian-American Labor Council believes that the development of ever firmer friendship and solidarity between the freedom-loving American and Italian people can prove only mutually advantageous and enhance the welfare of both peoples. Such sound and lasting Italo-American friendship is conducive to the enrichment of human culture and progress and the reinforcement of world peace and prosperity.

9. In this spirit the Italian-American Labor Council will continue to protect and defend the rights of our American population of Italian descent against the assaults of the bigots and all other anti-American elements. It will aid the loyal Italo-Americans in fulfilling most energetically their duties and in enjoying more fully their rights as citizens of the United States. These activities of the Italian-American Labor Council are to be conducted in the spirit of our devotion to the struggle against all discrimination and prejudices growing out of differences in race, color, creed or national origin among the people of our country. These activities are to be conducted in the interest of true national unity and vital American democracy.

10. Let us build Italo-American friendship as a powerful pillar of world peace and democracy!

#### RETURN OF SERVICEMEN FROM OVERSEAS

Mr. WHEELER. Mr. President, I am in receipt of a radiogram from members of the Thirty-seventh Division, now stationed at Manila. I presume other members of the Senate have received a similar radiogram. It is as follows:

MANILA, November 9, 1945.

Request following situation brought to attention proper authorities: We of the Thirty-seventh Division some with 42 months overseas and all with 60 or more points are awaiting shipment home from Philippines while a division with one-half our overseas time has already departed. It is further contemplated sending thousands of noncombat troops home from Philippines ahead of the Thirty-seventh and we vigorously protest spending our fourth Christmas overseas.

MEMBERS OF THE THIRTY-SEVENTH.

I have also received a longer telegram from the enlisted men of the Second Battalion of the Fourteenth Infantry Regiment, Thirty-seventh Division, dated November 11, 1945, from Manila, as follows:

We feel that we have a justifiable case which should be brought to attention of War Department and public. Here are the facts in regards to our division. The Thirty-seventh Infantry Division has been serving overseas since May 26, 1942, total of 41 months. During this period division saw action on New Georgia, Vella la Vella, Bougainville, and Luzon. Total time in combat equal to if not exceeding that of any other combat division in this theater. Our long record has been excellent in all campaigns. Casualties were high. During interrogation of General Yamashita, commander of the Japanese armed

forces in the Philippines, he brought out the fact that among the men of his command the Thirty-seventh Division was one of the most feared and highly respected combat divisions in the Pacific. Officials in this theater command never failed to recognize high combat efficiency of this division when difficult jobs were to be done. We were called on to participate in some of the most bitterly contested actions. Now despite the cessation of hostilities we feel that higher Army authorities in this theater have extended their obvious prejudice against this division by repeatedly postponing plans to return the division on dates announced by both General MacArthur's headquarters and the War Department. One official date and other dates which we read in newspapers have already been postponed. In our place two other divisions, the Forty-third and Thirty-eighth, have already returned to the States. The Thirty-eighth and other divisions have been given higher priority over the Thirty-seventh and have less time overseas and in combat than the Thirty-seventh. Furthermore, service troops in replacement depots have priority over our combat division. The Thirty-seventh has 17,000 men in it all of whom are eligible for discharge and all of whom have been promised that they will be home for Christmas. We feel that the return of the veterans of this division to the United States is being jeopardized and delayed by the unfounded personal animosity entertained for this division and its commanding general, the only National Guard division commander to have held his command throughout the war, by the Regular Army clique that has dictated policies in this theater since beginning of war. Is it asking too much that this injustice caused by petty Army practices be brought to the attention of the public? In view of your position and your reputation for the baring of facts we members of this battalion have decided that you are the most capable person who has the courage to publicize this situation.

Respectfully,

ENLISTED MEN OF THE SECOND  
BATTALION, FOURTEENTH IN-  
FANTRY REGIMENT, THIRTY-  
SEVENTH INFANTRY DIVISION.

Mr. President, I hesitate to criticize the Army and the Navy concerning the delay in returning to the United States men in the armed forces. In all the contacts I have had with Army and Navy officials they have stated they have been doing everything they could to have the men brought back to this country. But I am receiving numerous letters from young men in the service overseas, and from their families at home—and I presume other Members of the Senate are receiving similar letters—particularly from men in China, in Okinawa, and in other places. I have a letter from a man in Great Falls, Mont., dated November 5, 1945, as follows:

DEAR SENATOR WHEELER: I don't imagine there is a damned thing you can do about this situation but I thought it would do no harm to refer it to you just in case you might.

My foster son has been in the services for 3 years, 2 of which have been in the Pacific area. The following is from his last letter to me:

"In spite of all the statements made by Army and Navy officials and Congressmen, the shipping situation in this area (Philippines) is damned poor. There are still men in the replacement pools with 90 and 95 points. The replacement camps are all overcrowded, many men having been in there over a month. They fool a lot of the people at home by lowering the points to 60 to make them believe things are moving fast. But

they can't fool us over here. Even if the point score was 40 we would still have to wait for a ship to take us home. As usual the Air Corps is getting the cream with all their 70-point men and some 60-point men back in the States. As an illustration of how much time we have on our hands, I have read seven books in the past few days. Maybe I wasn't brought up right, but this lazy man's life doesn't agree with me in the least."

Doesn't it impress you as being such a hell of a waste of a young man's life? He is just about 22 and should have been through college by this time. It strikes me that the Navy might be better engaged in bringing the chaps home than going on parades all over both our coast lines. Another thing, is there an ulterior motive in keeping the boys there? Are we going to fight in China? Why are our ships being used to transport Chinese troops? Read the excerpt from this letter on the floor of the Senate and ask these questions, and you will be well rewarded with servicemen's loyalty. They look on you as their champion of their causes. Think of the effects this situation is having on their physical and mental state. It's high time something was done about it.

Yours very truly,

Mr. President, I have also received a letter from members of Local Union No. 1095, United Mine Workers of America, dated November 7, 1945, from Red Lodge, Mont., as follows:

DEAR MR. WHEELER: In behalf of the soldiers who have fought and bled to bring this war to an end, and whereas these men have not been able to get passage home, to which they are rightfully entitled to: Therefore be it

Resolved, That Local 1095 of the United Mine Workers of America urge all locals and districts of the United Mine Workers of America and the honorable President of the United States, as well as the honorable Senators and Representatives of our Nation, that they do all in their power to get all available transportation to bring these soldiers home from foreign shores. We demand immediate action for these soldiers who have waited months for a ship to take them home.

Sincerely submitted.

RESOLUTION COMMITTEE, LOCAL 1095.

I have also received a letter from a newspaperman, dated November 6, 1945, from Billings, Mont., as follows:

DEAR SENATOR: Being a father of two boys still in the armed forces, I am seeking some information and am turning to you in hopes you can furnish it.

What I want to know is why the Army is holding the Twentieth Air Force on the Island of Guam. My information is the force there has been doing nothing for the past 2 months or more. If your office does not have the information available, would you kindly pass this on to the proper authorities.

Very truly yours.

These are only samples of hundreds of letters which I am receiving from servicemen in China, the Philippines, and Okinawa, as well as from their parents. They wonder why they are not being sent home, notwithstanding the fact that they have the necessary number of points. I am told that living conditions on Okinawa are appalling and that there is no excuse for keeping such a large number of men there when living conditions, the food situation, and other conditions are so unsatisfactory. I hope the military authorities will take some action in the immediate future to hasten the



return of these young men to their homes.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. KILGORE. I have received many letters on the same subject. I was particularly impressed by a letter which I received the other day from a young officer in the Philippines. He personally was not affected, but he complained bitterly about the forgotten men in the replacement pool, some of them with more than 100 points, who sit around with nothing to do. He said that he felt ashamed to go among them, because they had been through the entire Pacific campaign. Apparently they were in a backwash, and forgotten. Such a letter from a soldier who complains about the treatment given other soldiers means more than a letter from a man who is himself trying to obtain his release. This man was not asking for anything for himself, but he said that something should be done about the replacement pools.

Mr. WHEELER. I thank the Senator. The other day I received a letter from an Army officer along the same lines. He said that, so far as he was concerned, he was not affected in the slightest degree, but that the boys in the Philippines who have been through combat service and who have the necessary number of points should be taken care of. He also said that he was ashamed to go among them.

Mr. KILGORE. Does the Senator realize that many of the replacements have been taken from hospitals? Instead of going back to their divisions, the men are sent to the replacement pool, and have become practically forgotten men.

Mr. WHEELER. It seems to me that there is no excuse whatever for the way the boys have been jockeyed around. Furthermore, in the War Department and other departments officers and others serving in the United States are doing absolutely nothing. In some places there are 50 or 60 men where 3 or 4 men could do the job. Not only does that involve an expense to the Treasury but it has a demoralizing effect upon the men themselves. In my judgment the Army and Navy are doing themselves a real disservice by not returning servicemen to their homes more quickly, particularly when the men have the necessary number of points and are sitting around doing nothing.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. MOORE. I should like to know what the Senator thinks about the utilization of all the shipping facilities available for bringing the men home.

Mr. WHEELER. I believe that all the available facilities should be used. This morning I received a letter to the effect that a CIO union had adopted resolutions saying that they would refuse to unload ships unless the ships were being used for the purpose of bringing soldiers home.

Mr. MOORE. I know that the Senator has received many letters from the men

themselves, who claim to know, to the effect that many ships are lying at anchor in the Philippines and in the Chinese area of the Pacific, and are not being utilized. Yet we are told by the Army and Navy that everything that can be done is being done. Like the Senator, I do not wish to make any charges of bad faith against the Army or Navy. But the situation has reached such a point that the morale of the men themselves and of the people is being affected. They have begun to doubt the integrity of the Army and Navy in the statement that everything possible is being done to demobilize the armed forces and bring the men home.

Mr. WHEELER. I agree 100 percent with the Senator. Every statement I receive from the Army or Navy, and every statement in the press, is to the effect that they are doing everything they possibly can. But at the very time when those statements are issued I receive letters from men in China, in the Philippines, and in Europe, saying that, as a matter of fact, everything possible is not being done, and that they are being held there without reason. They are losing faith in the Army and Navy, and they are blaming Congress because of the fact that they are not getting back home. They think we are derelict in our duty when we do not do something to force the Army and Navy to bring them back.

Mr. MOORE. Is it not true that we should be doing something?

Mr. WHEELER. Of course. Frankly, with the complaints coming from the men, saying that we ought to take some action, I believe that the Congress should take action.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. ELLENDER. Yesterday the Committee on Naval Affairs had a very interesting meeting concerning the subject now under discussion. There appeared before the committee Admiral William M. Callaghan, Director of Naval Transportation, who has to do with bringing soldiers and sailors home from abroad. He stated that more than 500 ships had been refitted and commissioned for the express purpose of transporting soldiers and sailors from abroad. He further stated that from November 1 to June 30, 1946, the transportation service contemplated bringing back from abroad 4,443,000 soldiers and sailors. Breaking down the figures, it is expected that 1,450,000 will be brought back from Europe, 10,000 of whom were sailors; 203,000 from India, 3,000 of whom were sailors; and 2,790,000 from the Pacific, 1,430,000 of whom were sailors, coast guardsmen, and marines. Admiral Callaghan further stated that should more ships be commissioned and assigned than are now being used it would mean that fewer Navy men would be transported from abroad. He stated that the plan worked out by the transportation service permitted the use of as many ships as the traffic will bear without impairing the chances of Navy men to be brought back home on the same basis as Army men.

Mr. WHEELER. I am glad to have that statement. As I stated, I have been

very hesitant about criticizing the departments, and I have not criticized them on the floor of the Senate. But I am becoming weary of receiving letters from servicemen who are criticizing Congress because of the fact that we have not done anything. The men ask, "Why do you not make the Army and Navy do something about it?" Frankly, the letters are becoming so bitter that they are very disturbing. The men are not only becoming angry at the Army and Navy but they are becoming angry at their own Government. In my judgment, the situation which exists is very dangerous.

One serviceman asks, "Why is it that parades of ships are being held along the Atlantic coast and the Pacific coast? Why are not some of those ships being used to bring the men back? They were used to bring us over here. Why are they not being used to bring us back?" In my judgment, it was a mistake to advertise big parades of ships in New York Harbor and other harbors when the men overseas could not get back.

Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. ELLENDER. The evidence also showed that five or six carriers have been in use for some time in transporting men from overseas. Several cruisers are also in use. The point that was urged by Admiral Callaghan was that if more ships and carriers were put into the service, fewer Navy men with a sufficient number of points for discharge would be able to get home. In other words, they would be detained in the service as operators of such ships if a larger number of ships were used. That is one of the reasons why the number of ships has been fixed at a little over 500 for that purpose. In short, if the number of ships were increased, many of the men in the Navy, who are as much entitled to get out of the service as are the men in the Army, would not be able to obtain their discharge.

Mr. WHEELER. I agree that they are entitled to be released. Perhaps I am mistaken, but I do not understand, and the men do not understand, why ships should be used in great parades, instead of being used to bring the men home. It seems to me that there is not much excuse for it.

Mr. ELLENDER. As I have stated, the Navy is using as many ships as it can. Another point made by Admiral Callaghan was that during the war three and a half years were required to carry the men overseas to fight, and that less than 10 months will be required to bring them back.

Mr. WHEELER. I do not know the admiral, but certainly many of the men overseas ought to be brought back. I should like to have the admiral write to the men giving his explanation, because they are certainly dissatisfied.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. ANDREWS. Maj. Gen. W. F. Paul, Assistant Chief of Staff for Personnel, who is in charge of plans for demobilization, testified for approximately an hour this morning before the Committee on

Naval Affairs. I suggest that all Senators read his testimony. He has just returned from overseas. I think his testimony shows conclusively that the Army are doing everything they can do and are weighing every possible factor. The most gigantic task which has ever confronted the Army or the Navy and our shipping facilities has been the demobilization of 12,000,000 men scattered all over the world, to do it in a systematic way, and to treat everyone equally. It is an impossible task. I think a study of General Paul's testimony will amply repay the Members of the Senate. I think the explanation is conclusive in showing that they are doing everything within their power. I hope all Members of the Senate will read General Paul's testimony.

Mr. WHEELER. I shall be glad to read it, and I am glad to hear the explanation. But I say that the explanations which have been made heretofore have not satisfied the men who are overseas. They do not care what an admiral says to the effect that those in charge are doing everything they can, when at the same time in many ports numerous available ships are to be seen. I call attention again to the case of the Thirty-seventh Division. I have received from that division communications stating that soldiers with 80 or 90 points are not being sent home, whereas numbers of soldiers with far fewer points are being returned to their homes.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. KILGORE. I wonder whether the Navy is considering the tremendous amount of space available on the hangar decks of aircraft carriers. I happen to know that 1,900 troops were put on the hangar deck of a carrier to go into combat. I do not see why 1,900 others cannot be brought back on that carrier, which now does not even have to carry any planes at all. It seems to me that the problem can be solved by using both large carriers and small ones. Some say that the decks of carriers are cold, but we must remember that in numerous instances blowers have been successfully used to heat large terminals. It seems to me that the proper use of aircraft carriers in the present situation is one way of solving the problem.

Mr. WHEELER. I thank the Senator.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. WHERRY. I should like to confirm what the distinguished senior Senator from Montana has said about communications from servicemen overseas. I also have received letters and other messages from the men themselves, as well as from their parents, relative to the demobilization and discharge of men in the naval service. I have in my office a letter which I should like to have printed at this point in the Record, as a part of my remarks. I shall send for it immediately and shall give it to the reporter. It comes from the parents of a young man whose home is near my home town. He has been in the service for almost 5 years and has 90 points; yet for some rea-

son he cannot get transportation back to the United States. I ask unanimous consent that the letter to which I have referred may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VESTA, NEBR., November 7, 1945.

Senator WHERRY,  
Alexandria, Va.

DEAR SIR: We are writing in regards to our son, Maj. Charles H. Ziegler, O-313609, in the Fifty-eighth Quartermaster Base Depot on Okinawa. Redeployment there has been held up for reasons we, the public, do not know. There are men with over 100 points who have not received orders as yet. Charles has 90 points, 2 years overseas, in two theaters of war, and almost 5 years in the Army.

We ask your help in relieving this situation.

We send our greetings to you and your family.

Yours truly,

DR. AND MRS. CHAS. ZIEGLER.

Mr. WHERRY. Mr. President, I know there is much to be said regarding the problems confronting the Navy. Another letter which I have received states that a convoy of more than 100 ships was assembled at the port of Manila for over 10 days, but nothing was done to load the ships, and as of the date of the letter the ships were still there. So I have submitted the letter and I have made these remarks to confirm what the distinguished Senator has said relative to the delays in discharging the boys from the service.

Mr. WHEELER. I thank the Senator.  
HOARDING OF DOCTORS AND DENTISTS  
BY THE ARMY

Mr. REED. Mr. President, I am going to talk again about the scandalous situation in which the Army, in particular, and also the Navy are holding doctors and dentists in the service without any possible justification. The tortuous trail of finding out from the Army why it is holding doctors and dentists in virtually every camp in the country, above the actual needs of the service, leads close to the Secretary of War. It has been exceedingly hard to get candid and correct information from any Army sources on this point. In relation to this phase, the Senator from California [Mr. DOWNEY], chairman of the Military Affairs Subcommittee, in investigating this matter under Senate Resolution 134, had this same difficulty, and he said:

As chairman of the subcommittee, I sought some explanation of this apparent great waste of medical power, but must admit I was engulfed in an impenetrable fog in an attempt to elicit facts of any conclusion from the military authorities.

I have had the same experience. It is the most difficult and disheartening task I have ever undertaken in my public life to get the truth in this scandalous situation, out of any of the sources available to us. I finally decided to try the Office of the Secretary of War. Surely, I thought, the final authority in the War Department will be more candid than the lower levels of authority. About October 11, I received from Fort Riley,

Kans., a letter which contained the following:

As of today, there are 43 dentists assigned to Fort Riley, with real work for no more than 12 of them.

On October 12, I wrote the Secretary of War quoting that statement and asking him if he would be good enough to cause a prompt investigation of this matter and advise me of the facts. On November 5, the Secretary of War reported the following:

Your constituent is correct when he says that there were 43 dental officers assigned to Fort Riley at the time his complaint was made. I should like to point out, however, that the total strength of the post at the time was 25,165. There was, therefore, 1 dental officer for each 585 men. This is not considered excessive inasmuch as Fort Riley operates a separation center in addition to its other activities.

The Secretary of War gave me additional information which is not pertinent to this question. I could only assume from the report of the Secretary of War that his office was satisfied with the situation at Fort Riley, and thought I ought to be; that there was no waste of doctors and dentists at that post. I made public my request of October 12, upon the Secretary of War, for an investigation of the Fort Riley situation. It was handled freely by the Kansas newspapers.

While the letter of the Secretary of War was on its way, I received additional information concerning the situation at Fort Riley. Mr. President, I charge the Senate to consider carefully what I am about to say, because it indicates a disgraceful condition in the War Department. Following the receipt by me of this information from the Secretary of War, after his investigation and after his report to me that everything at Fort Riley seemed to be proper, I received the following information from Fort Riley:

Your first letter—

That is my first letter—

In the newspapers created quite an uproar here. The wires were plenty hot, and by noon of the next day six dentists had orders to move, three to Fort Logan, Colo., three to Fort Leavenworth, and another was sent to Camp Grant, Ill. The next day another dentist was sent to Fort Leavenworth. Two more dentists eligible for release were put through the separation center. All the dentists were finally removed from the separation center.

In reading the answer of the Secretary of War one cannot find a syllable in it which would indicate that the dentists at Fort Riley should be reduced immediately by 25 percent. Mr. President, that is a scandalous situation.

Preceding the incident to which I have referred I discussed the situation relative to the dentists with a doctor in the Army with the rank of colonel. I mentioned a certain camp with reference to which I had information that at that camp there was an excessive number of dentists. He said to me in effect, "Well, you may get those fellows moved out of that place, but that is all you will accomplish. When somebody complains about an excessive number of dentists in a particular place, they move a number



of those dentists to some other place." I assert, Mr. President, that the removal of excessive and surplus dentists from a place where they are not necessary to some other place where also they are not necessary is an evasion of candor, truth, and good administration. I have cited a case which is absolutely in point. Whoever is responsible for it has brought disgrace upon the Army and the Navy.

Mr. President, in order that the Senate may have the situation clearly before it, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks my letter of October 12, 1945, to the Secretary of War, and his reply of November 5, 1945.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OCTOBER 12, 1945.

The honorable the SECRETARY OF WAR.

DEAR MR. SECRETARY: In connection with the great volume of discussion of the situation in the Surgeon General's Department of the Army, in relation to the number of doctors and dentists being kept in the service, I beg to advise that I am in receipt of a letter from one of my constituents near Fort Riley, Kans. This definite statement is made:

"As of today, there are 43 dentists assigned to Fort Riley—with real work for no more than 12 of them."

I cannot give you the name of my correspondent because of their fear of reprisal from the Surgeon General's office.

I shall be most happy if you will cause a prompt investigation to be made of this situation, and advise me at, I hope, your early convenience.

With my best wishes, I am,  
Cordially yours,

CLYDE M. REED.

WAR DEPARTMENT,

Washington, November 5, 1945.

HON. CLYDE M. REED,  
United States Senate.

DEAR SENATOR REED: This is in further reply to your letter of October 12, addressed to the Secretary of War referring to information supplied by one of your constituents regarding an alleged excessive number of dentists at Fort Riley, Kans.

Your constituent is correct when he says that there were 43 dental officers assigned to Fort Riley at the time his complaint was made. I should like to point out, however, that the total strength of the post at that time was 25,165. There was, therefore, one dental officer for each 585 men. This is not considered excessive inasmuch as Fort Riley operates a separation center in addition to its other activities. I believe figures showing some of the dental work accomplished at Fort Riley during the month of September will answer your constituent's claim that there is work for only 12 dentists at that post:

Dentures constructed.....	381
Dentures repaired or rebased.....	85
Permanent fillings inserted.....	5,372
Teeth extracted.....	1,423
Teeth replaced by bridges or dentures.....	2,854

I trust that the foregoing will enable you to answer the inquiry of your constituent.

With kindest regards,  
Sincerely yours,

JOHN W. MARTYN,  
Administrative Assistant.

Mr. REED. Mr. President, I wish to acquit Secretary of War Patterson and Under Secretary of War Royall of any knowledge on their part of the disgraceful situation to which I have referred. I

do not believe that either of those eminent gentlemen would tolerate such conditions if they knew them to exist. I will assure the Senate that after today I shall make sure that Secretary of War Patterson and Under Secretary of War Royall are fully advised of the disgraceful situation to which I referred, and which I honestly believe applies to at least two-thirds of the Army posts of this country. It is my firm belief that 10,000 doctors and dentists are being held at Army posts in this country when there is no earthly use for them at those posts.

Mr. President, these men are professional men. They left their practice to enter the military service. They did so for patriotic reasons. In illustration of what those civilian doctors meant, allow me briefly to refer to the facts.

It is well known that with certain notable exceptions the Army medical service is, in quality, an inferior service. With the exception of a few brilliant practitioners, no man stays in the medical service of the Army in peacetime who is qualified to be a successful practitioner.

The other day a member of the faculty of one of the important medical schools of the country came into my office. We engaged in conversation relative to the subject which I am now discussing. He said:

I have been on this particular staff for 15 years. I have watched the graduates of every graduating class. The Army gets only the culls. It gets not only the inferior men to start with, but those men, after getting into the Army, have no opportunity to improve, and usually they do not improve.

So what takes place? There seems to be an anomalous situation involved. The medical attention given to the men in the Army and in the Navy during the recent war was the best that the men of any army or any navy had ever received. How could such excellent medical care have been given with an inferior medical staff? Mr. President, I have it from official sources that at the beginning of the war there were about 1,200 doctors in the regular medical establishment of the Army. Each of those men was subsequently assigned to administrative work. The magnificent service which was given to the men in the Army was given entirely and supervised entirely by civilian doctors who had been brought into the service. The best talent in Harvard Medical School, in Johns Hopkins, in the Mayo Clinic, in Northwestern University, and other great schools and hospitals was called upon to enter the service. Even my own Kansas University sent an evacuation hospital unit, which served during the war under the command of a Kansas University faculty member. Every one of the doctors connected with the evacuation hospital were Kansas men, and none of them was from the Regular Establishment of the Army.

During the Army's maximum strength it had approximately 46,000 doctors. With the exception of men who were engaged in administrative work, all those doctors had been civilian doctors. What is their reward now? They are now under the command and authority of the Regular Army staff, the personnel of

which is engaged in administrative work in which, for once in their lives, they can command medical men who are far superior to them in the medical profession. I do not have any basis, except that of pure presumption, for the statement that this situation is one in which the doctors in authority may be venting some kind of spleen or grudge upon the superior medical men who are temporarily in the service. Those superior men left their civilian practices and wish to return to them. They are serving no purpose in the positions which they now hold. Presently I shall read some glaring examples of the situation. As I have already said, the most scandalous personnel situation in connection with our whole war effort has been embodied in the abuse of these professional men who left their practices to go forth to do a magnificent job.

Mr. President, since this matter has been given wide publicity I have received a flood of letters, telegrams, cablegrams, and radiograms not only from various parts of the United States but from all over the world. I wish to refer to a few cases and will do so as briefly and as concisely as I can.

I have before me a communication from George Field, which is at Lawrenceville, Ill. The communication is from a doctor who is an officer there in the Medical Corps. He states that the capacity of the hospital is 120 beds and that the average number of patients in that hospital is 44. For those 44 patients there have been assigned 9 doctors and 8 dental officers. The doctor states that those 44 patients include some prisoners of war and some civilians. He continues as follows:

The same exists throughout the States in air bases that are now outmoded but are being kept alive to provide commands for our top-heavy rank-conscious "junior bird-men."

Another letter of special interest which I received came from a group of doctors at the Woodrow Wilson General Hospital at Staunton, Va. I read from it as follows:

WOODROW WILSON GENERAL HOSPITAL,  
Staunton, Va., November 7, 1945.

Yesterday the surgeon for the Third Service Command, at the request of the Surgeon General, called all doctors in this hospital together and attempted to appease us for not yet being released from the service. He admitted that the Surgeon General had promised to have 13,000 doctors out of the service by December and stated that so far only 5,500 have been discharged. He pleaded with us to have patience and we would probably (?) all be out by March 1946.

From the far-off Philippines I have this letter:

There is no shortage of doctors anywhere in the Pacific areas. There's a surplus in any field you care to mention. Doctors are sitting around in large groups in replacement centers "rusting away"; no assignments are provided for them. For them, there's just nothing to do. I myself was unassigned and idle for 10 weeks—an "essential" specialist. If one cares to check on this he might speak to Colonel Hall of the Surgeon General's office, who has recently been in these islands. Colonel Hall "found" whole units of doctors sitting around in replacement depots, literally "lost" by headquarters.

I read now from a letter written to the Senator from Alabama [Mr. BANKHEAD] by one of his constituents who sent me a copy of the letter:

I am 46 years old, have been in the Army almost three and one-half years, and have a wife and 4 children, 74 points, and still am unable to get out. I have put an application in for release through military channels, to the procurement and assignment in Washington, but at the rate in which the Army gets things done, it will take this application approximately 3 months to be acted upon.

I have another letter from a Medical Corps captain, which reads:

After 3 years in the Army I can only say that two out of every three Army doctors never did a day's work in all their army career. I volunteered but you'd have to use a team of horses to get me to join up again after my discharge. \* \* \* Now that there are no more battle casualties there is no excuse in the world for keeping in service 6 doctors for every 1,000 troops.

I might say here, Mr. President, that there are 125,000 doctors in active practice in the United States. A greater number of men than that hold certificates to practice medicine, but many of those who hold licenses are retired or are in ill health or are in teaching positions; so that there are 125,000 doctors in active practice. The Army took 46,000 and the Navy took 14,000, a total which represents practically one-half of the number of doctors in this country. So long as the war was actively on, so long as battle casualties were coming in nobody begrudged the wounded soldier every attention that could be given him. If it took one doctor or one surgeon to every wounded man, all well and good, but when May 12 came the need for doctors in Europe decreased abruptly 80 percent. There were no more battle casualties. The wounded had been sent to the United States. It may interest the Senate to know that the last wounded man from Europe was brought to the United States and put in a hospital here in July. This is November, and yet the doctors are being held in Europe by the thousands, although they have nothing to do there. It is the most disgraceful thing that I have ever encountered in my public life. There is much bypassing of Members of Congress, including myself. We are given the run-around. We can get no information. We can get no honest, candid, or correct answers as to what the actual facts are. The situation is so disgraceful that the board of inquiry called for under the resolution which I submitted should be set up, and I do not know that the proceedings should be permitted to stop there. If that board of inquiry does not find that there ought to be a considerable number of courts martial for whoever is responsible for this disgraceful situation, then I shall always have the feeling that the board of inquiry did not do its full duty.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. REED. I am delighted to yield to the Senator from Ohio.

Mr. TAFT. I wish to reaffirm what the Senator has stated regarding the treatment of doctors. I think there are

many more doctors in the Army—I do not know so much about the Navy—than are required for the present needs of the Army and they are apparently being deliberately kept in the service.

I have in mind the case of a doctor from Drew Field and McGill Field, Tampa, where there is a hospital with 135 patients and 15 doctors. This particular man finally, after considerable effort, was declared surplus. He has done no work for approximately 60 days. He is 44 years old, and has been in the service 3½ years. He was finally declared surplus at this particular field, but was transferred to the Army Ground Forces Command for reassignment somewhere else.

Apparently the Army Medical Corps is refusing to recognize the usual requirement that in hardship cases discharges shall be granted. I have the case of a doctor which certainly presents a hardship case, a man whose oldest son is paralyzed, whose wife has to carry him around to a large extent, and now his wife is also sick, and they have hardly enough money to live on; yet, apparently, the Army Medical Corps takes the position that hardship cases do not apply to doctors.

So I agree with the Senator from Kansas that there should be an investigation, and it seems to me that a very high proportion of the doctors now held should be released.

Mr. REED. I thank the Senator from Ohio for his contribution.

Let me refer to a hardship case. I have a letter from the wife of a captain in the Medical Corps which reads in part:

My husband was in Africa, Anzio, and on into Germany, and has 78 points, also a fine Army record as convoy surgeon and Ninety-ninth Infantry surgeon through the Ardennes and crossing of the Rhine. He has applied for a hardship release because we have a 9-month baby boy with a tumor on his spine causing paralysis. Baby requires constant care as he can't sit up or lift his head. He weighs 26 pounds, and I weigh 97 pounds. \* \* \* Surgeons can't operate on baby, and give him about a year to live.

Mr. President, that doctor has not been able to get a release on a hardship basis. I promise the Senate that tomorrow the Surgeon General's office, or whoever is responsible for that case, is going to have to account to me for ignoring or refusing to give consideration to a case of that kind, where the doctor is within 2 points of the required 80 points and is desperately needed at home.

I think, perhaps, Senators will get a smile out of the letter, part of which I am about to read. It came from a medical officer on Leyte, who says:

Am well into my fourth year at the garbage can and latrine, and my third year overseas—longer than a peacetime Army tour of duty. It is becoming increasing difficult to waste time and avoid becoming a neurotic. Seems like my self-control is stretched to the breaking point. If there were only something I could do—it is this eternal waiting and waiting for some unknown date. I dream of the day when I can escape the Army's enforced idleness and again have the privilege of working. The officers here chipped in and imported a thousand pesos worth of native whisky from

Cebu Bay. A few of them seem to successfully kill time by remaining in an alcoholic stupor, but that is difficult for me because my constitution isn't rugged enough to take it.

Mr. President, this letter comes from a captain stationed at Fort Stevens, Oreg.:

At the present time I am assigned as battalion surgeon to headquarters and headquarters harbor defenses of Columbia and attached to the station hospital, Fort Stevens, Oreg., to which four medical officers are assigned to duty. The average total patients per day in the hospital for September was 11; October, 8; and thus far in November, 4.

Mr. President, those illustrations can be repeated indefinitely. Not only urging, begging, or pleading, but threatening, we are unable to get action upon cases of that kind. Either the Surgeon General denies his authority, or evades us on the merits of the case. This is so plain that there can be no difference of opinion as to the facts existing.

The administration of the Medical Corps of the Army and the Surgeon General's office, including the present administration, up to this hour, is dishonest, is disgraceful, it is incompetent, it is inadequate, it calls first for a board of inquiry, and then probably some courts martial.

I wish to give another illustration. I shall read now from a letter signed by 10 medical corpsmen at Camp Breckinridge, Ky., dated the 8th of November 1945:

Recently, 20 battle-tested medical officers, most of whom have at least five battle stars and at least one medal awarded in combat, were transferred to the station hospital at Camp Breckinridge, Ky. The situation which exists in this hospital is apparently universal, and we think it is worthy of note.

On the 8th of November, there were approximately 124 patients in the hospital. They represented the usual types of patients drawn from a small group of relatively healthy young men. This hospital on the 8th of November had 35 medical officers assigned to its staff.

Let me repeat, there were 124 patients in the hospital. Why should anyone have to call the attention of the Surgeon General and the Army authorities to cases of that kind? Why should I have to take the floor of the Senate week after week, why should I have to write letters, why should other Senators have to worry and bring this matter to the attention of the Army authorities, when the situation is so disgraceful that it should be corrected if the Army, the Surgeon General's office, has any self-respect, any integrity, left?

Mr. President, as I pointed out a moment ago, the magnificent record made in the care of Army personnel over all the world is due to the work of the civilian doctors, not the regular Medical Corps of the Army. All 1,200 of the latter went into administrative work. As the Army is being demobilized, as officers go through the separation camps, the Army is making an effort, and a proper effort, to induce as many officers as possible to enroll in the Reserve Corps. I am informed, without any definite figures, that that effort is successful in all branches of the service except the Medical Corps. Enough of the officers going out are enrolling in all the branches of the service except the Medical Corps.



Mr. President, the feeling on the part of the doctors, and a justifiable feeling, is so bitter that not a single doctor as he leaves the Army service, where he has made such a magnificent record, is willing to give the War Department or the Surgeon General's Office any further authority over him. I am informed that universally, perhaps unanimously, the doctors are refusing.

I have been visited a number of times recently by men from the War Department, some of them from the Surgeon General's office. I have been happy to talk with them about this matter. A colonel came to see me Saturday and I said to him, "Colonel, if you had to fight this war over, if you had to set up another Medical Corps such as was set up at the beginning of the war, you would have to draft every doctor from civil life. Not one of them would volunteer for service." The colonel replied, "Senator, unfortunately that is true, and it is the most important thing in this whole situation." This bitterness is universal throughout the medical profession against the way these men have been mistreated, have been kept idle, are now being kept in the Army without any use for them at all.

Some things have been said here this morning about the Navy. I do not want the Navy to think that because up to this time I have paid most attention to the Army I am going to overlook the Navy. Just as soon as this situation in the Army gets under control I shall follow the same course with the Navy. I do not think the Navy is very much better in this respect than the Army. I think these conditions are disgraceful. They put a tarnish upon the reputation of the War Department and the Navy Department and every man who has any responsibility, direct or indirect, near or remote, for the continuation of this unjustified, unnecessary, disgraceful situation.

#### DELAY IN RETURN OF SERVICEMEN

Mr. BUCK. Mr. President, believing that it may aid in the effort which will be made to try to correct a bad situation, I wish to read into the RECORD a letter from a soldier at Leyte, whose name, for obvious reasons, I shall not disclose. In this letter the writer calls attention to the confusion and delay experienced at the Twenty-eighth Replacement Depot at Tacloban, headquarters of the armed forces in the Pacific under General MacArthur, where it was announced that the number of returnees to be embarked at Tacloban would be 38,300 in October, when actually during that month only 8,262 men were sent home. The letter, which is dated November 1, 1945, reads as follows:

TACLOBAN, LEYTE, P. I., November 1, 1945.  
HON. C. DOUGLAS BUCK,  
United States Senator for Delaware,  
Washington, D. C.

SIR: I am sending you the following information so you can compare existing conditions in an overseas theater with the statements of the War Department:

1. Headquarters, armed forces in the Pacific, General MacArthur commanding, announced the number of returnees to be em-

barked at Tacloban, Leyte, during October would be 38,300. The Twenty-eighth Replacement Depot, disposition center at Tacloban and outlet for ground and service personnel in the Philippines excepting Luzon, shipped 8,262 men between the 1st and 31st of October. This date, the Twenty-eighth Replacement Depot has 12,133 men awaiting transportation, the break-down of the number of days they have been waiting as follows: 10 to 15 days, 1,561; 16 to 20 days, 2,801; 21 to 25 days, 4,186; 26 to 30 days, 1,780; 31 to 35 days, 735; and 36 to 38 days, 1,070.

2. The Twenty-eighth Replacement Depot is made up of four battalions of four companies each. A cadre of approximately 1,000 men are trained and equipped to receive, quarter, process, and ship 1,000 men a day. Since its activation June 28, 1945, it has shipped 28,979 men as of October 31.

3. The Twenty-eighth Replacement Depot, built to accommodate about 10,000, housing over 15,000 on October 14, received a restraining order from Headquarters, Replacement Command, closing the depot to all returnees under 38 years of age and having less than 90 points. This restraining order is still in effect, keeping out of the depot approximately 6,000 men eligible under October War Department releases, i. e., men with 70 points and men over 35 years of age, and approximately 4,000 men now eligible under November War Department releases, i. e., men with 60 points. Current movement directives assigning shipping space to the Twenty-eighth Replacement Depot provide approximately 8,000 spaces for the month of November.

4. Recent news dispatches from Hawaii state that because of surplus shipping there, men with 60 points, eligible in November, were being sent home in October.

5. Recent news dispatches from headquarters, armed forces in the Pacific, announced that the Thirty-first Division would be shipped to the States about October 31, taking with it all of its men with 60 or more points. In the last 2 weeks of October, the Twenty-eighth Replacement Depot has received 600 men from the Thirty-first Division, all having 90 points or more. These men are at the bottom of the depot's list, the policy being first in, first out. Their shipment from this depot is unlikely in the next month. The headquarters that ordered these high-point men to this depot, army forces in the western Pacific, also ordered 2 ships, the *General Aultman* and the *General Langfitt*, previously assigned to the Twenty-eighth Replacement Depot, to go to Davao to load part of the Thirty-first Division.

6. This same headquarters, responsible for providing transportation, ordered the return to the States of the *Cape Nevenham* empty on August 7. This ship's capacity was approximately 1800. At that time there were more than enough men in the depot to utilize that space. A daily report by radio informs this headquarters of the number of men awaiting transportation.

7. At present the Army port director at Tacloban is converting 4 cargo ships to haul prisoners of war to Japan. The ships are the *W. L. Gable*, *Edward Everett*, *M. Stewart*, and the *R. L. Stevenson*. The goal set for the return of prisoners to Japan is December 15. The War Department, however, in authorizing the conversion of such ships for United States returnees set requirements for heating, refrigeration, water supply, and sanitary facilities so high that the work involved makes the conversion impractical. Thousands of servicemen traveled all over the Pacific in invasion convoys on ships where none of the above facilities was adequate. It was accepted as a military necessity then. It would be now.

The above statements are facts. I leave the opinions that can be drawn from them to you. My only interest in stating them to you is because you could not know otherwise.

Respectfully yours,

#### BENEFICIAL RESULTS FROM DIETING

Mr. ELLENDER. Mr. President, a few days ago I received a letter from a constituent of mine in Louisiana by the name of J. W. Reilly, and to the communication was attached a letter written on November 25, 1917, by Mr. William B. Reilly, who was the founder of a large coffee concern in my State. I ask the indulgence of the Senate while I read both these letters, because they are interesting, and because of the sound advice contained in them.

It might be that many of us would be greatly benefited personally should we follow the prescription suggested by Mr. Reilly in the letter I am about to read.

The letter is as follows:

NEW ORLEANS, LA., November 9, 1945.  
HON. ALLEN J. ELLENDER,  
United States Senate,  
Washington, D. C.

DEAR SIR: I believe that it would be good policy to be liberal with food for Europe, and continue to maintain rationing in this country.

It makes life much more interesting to be sacrificing for something or somebody, and I dare say that in the United States more trouble results from overeating than starvation.

Am enclosing you an article written by my father 28 years ago and reaffirmed 10 or 12 years ago on this subject.

Everybody shuns responsibility of world leadership. Perhaps we can accept the role of being the servant of all and looking out for "No. 1" at the same time.

Many a rich man can give away a great part of his income without any sacrifice whatever. Perhaps countries can do the same thing and for its own good.

Sincerely yours,

J. W. REILLY.

Mr. President, attached to that letter is a copy of a letter written by Mr. William B. Reilly on November 25, 1917, as follows:

TO OUR GOOD FRIENDS: About 400 years ago there lived in Italy a good and wealthy man named Cornaro.

At 40 years of age his health gave way. His physicians advised him to arrange his worldly affairs promptly as he had not much longer to live.

Cornaro, however, had no idea of dying. He figured the thing out for himself and decided that his trouble was overeating. (At that time no one paid any attention to what or how much they ate.) He began to diet, reducing his food to 12 ounces of solid food a day.

At 85 years of age he wrote a letter to his friends telling of his wonderful health and how dieting had enabled him not only to cure himself but had helped him to enjoy every minute of his life.

At the age of 92 he wrote a second letter, and at 96 he wrote again, saying that his every faculty was perfect; his hearing, his eyesight, and his sense of humor were still as they were when a boy. He could write for hours without trouble. His letters were later compiled into book form and are still being published. He died at 103 years of age.

His book can be purchased at any good book store, *The Life and Letters of Luigi Cornaro*.

Thomas A. Edison tells that his grandfather read this book and practiced its teachings; that he lived to be over a hundred years old. He had seven sons, each of whom practiced this principle of dieting, and that they lived an average of more than 90 years. Mr. Edison himself has practiced the same all his life and gives credit to that for his great

vitality. It is said he has worked 4 days and nights without a let-up.

In 1892, at 32 years of age, I had a nervous breakdown, as the doctors said, from overwork. After taking medicine of all kinds and getting no better, I decided that my ailment came from overeating and not from overwork. I cut out all medicine and began to regulate my diet. Today, at 58, I feel younger and as lively as I was at 43, and I expect to be just as active at 80 as I am now at 58.

As a famous physician once said, "Most men dig their own graves, and with their teeth."

This letter may reach some man whom it will help, and, if it does, it will be worth many times the time it has taken you to read it.

Just try this plan of living: "Do unto others as you would have them do to you." Eat little and drink a moderate amount of our good coffee every day, and your life will be a useful and happy one—not only yourself but everyone around you being benefited. Your doctor bills will dwindle and cease, and you will thank me as long as you live for having given you this thought.

Sincerely yours,

WM. B. REILY.

To that letter is a postscript dated February 20, 1936, by Mr. Reily, as follows:

P. S.—Today, at 76, I believe in the above more firmly than I did at 58, when the foregoing was written.

W. B. R.

There is a further postscript to this effect:

P. P. S.—Mr. Reily passed away on August 17, 1942—age 83 years, 5 months, 11 days.

#### RELIEF OF THE HOUSING SHORTAGE

MR. WAGNER. Mr. President, on behalf of myself, the distinguished junior Senator from Louisiana [Mr. ELLENDER], and the distinguished senior Senator from Ohio [Mr. TAFT], I am now introducing a new and greatly improved version of the general housing bill of 1945.

The housing shortage now facing the country is critical to the point of an emergency. However, it should not be dealt with by emergency legislation. We have had emergency legislation on housing, and on other subjects, for too long already. It is high time that we stop improvising, get a true perspective of the whole problem, and work out a sound, long-term solution.

This is particularly true of housing, because the housing problem has been with us for many decades—and it will continue to be with us until all of the American people are decently housed. The returning veterans, who are becoming part of our civilian population, cannot best be served by a housing program which sets them apart from the rest of the country. They can best be served by being treated as citizens and civilians—by a sound, long-term housing program which is addressed to their needs and to the needs of the country as a whole.

For a decade and a half the Banking and Currency Committee, and other committees, have been dealing with a variety of housing problems—many of which are common to times of prosperity and of depression, of peace and of war. We have proposed, and the Congress has approved, many good and successful bits of housing legislation. But the time is long overdue when we should fit these

fragments into a unified whole—into a consistent national housing policy reflected in a consistent program.

Toward this end a committee of the Senate commenced, about a year and a half ago, a thorough investigation and study of the whole postwar housing problem. It combined this with a study of the existing housing activities of the Government, their relationships to one another, and their respective purposes. This committee contained representation from the Banking and Currency Committee, the Committee on Education and Labor, and the Postwar Committee—these being the three committees of the Senate primarily concerned with postwar housing matters. This study, which went on for more than a year, resulted in a comprehensive and excellent series of recommendations. To carry out most of these recommendations, the distinguished junior Senator from Louisiana and I introduced a comprehensive housing bill, S. 1342, on August 1, 1945.

Since the introduction of this bill the interest in it has been very widespread. Since then, also, the two sponsors of the bill have joined with the distinguished senior Senator from Ohio in the task of perfecting the bill, broadening its provisions, and dealing with certain important subject matters which had been omitted.

In consequence of our work and deliberations, we are introducing a new general housing bill today. I can honestly say that almost no legislation within my memory has received such careful and continuous study, prior to its introduction, by a group of Senators who may fairly be called representative.

For these reasons, and following the hearings to be held upon this bill, which I am sure will result in further improvements, I hope that the Senate will be disposed to act upon it favorably and speedily, and that the House will follow suit.

Our total housing need is pressing and enormous. It is estimated that, exclusive of farm areas, we ought to build about 1,260,000 units of housing a year for the next 10 years. Of these, about 420,000 units will be required for the upper income groups who can pay more than \$40 a month, on the average, for their housing. About 480,000 units will be needed for the middle income groups, who can pay, on the average, between \$20 and \$40 a month for their housing. And about 360,000 units will be needed for the low income groups, who can pay, on the average, below \$20 a month for their housing.

As to the upper income groups, who can pay more than \$40 a month, no additional housing legislation is needed. They can be served under existing legislation, which in fact is perfected by this bill.

I feel that the needs of the middle income groups can be served by the new programs of FHA insurance provided in the bill. The FHA now has more than \$2,000,000,000 in unused insurance authorizations, and another \$1,000,000,000 of insurance authorization is carried under the "yield insurance" provisions of this bill. This \$3,000,000,000 is enough to cover more than 600,000 units

of housing—even at \$5,000 a unit. I hope that a large proportion of this insurance will be used to serve the middle income groups. If so, it can take care of their needs for a year or so. Then, of course, we shall need to increase the authorizations for FHA insurance.

For the low-income groups, the public housing assistance provided in the bill is contemplated to cover 125,000 units a year for a 4-year period. This, however, can be accelerated by the President, where employment conditions or housing conditions so justify. While the public housing provisions are short of the total need in that area, I think that they will go a long way toward meeting the need.

Taken as a whole, therefore, I believe that the bill is well designed to stimulate the total required volume of residential construction, and to stimulate the \$7,000,000,000 or so per year in housing investment, mostly private, required in order that housing may contribute its full share toward full employment and prosperity.

We must remember also that the research and urban redevelopment provisions of the bill, along with the provisions for a very large volume of housing on the farms and in rural areas, will also help to attain these goals.

Since most of the benefits under the bill will come from reducing costs through insurance without expenditures by the Government, the total annual assistance provided by the Government, under all the programs will be only \$133,000,000 a year when the program reaches its peak after 5 years. I think that this is a relatively small sum when compared with our national capacity, or when compared with the benefits that will flow from a realistic and tremendous effort to clear away our slums and provide decent housing for all the American people.

The need is pressing and enormous, and we should respond to the need without equivocation or delay.

There being no objection, the bill (S. 1592) to establish a national housing policy and provide for its execution, introduced by Mr. WAGNER, for himself, Mr. ELLENDER, and Mr. TAFT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

MR. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD immediately following these remarks a reasonably brief summary of the purposes and provisions of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ROBERT F. WAGNER UPON INTRODUCTION (BY HIMSELF, SENATOR ELLENDER, AND SENATOR TAFT) OF THE GENERAL HOUSING BILL OF 1945

The bill being introduced today by Senator ELLENDER, Senator TAFT, and myself represents many months of work and deliberations. Our agreement on it emphasizes that the housing situation has become so important and critical as to require a non-partisan approach and prompt action by the Congress.

The bill is most comprehensive. Despite every effort at succinctness, it has 11 titles covering all phases of housing. Thus, the bill sets forth for the first time in our his-



tory a clear-cut national housing policy and objectives, as well as providing for practical methods for attaining these objectives. It deals with the preliminary and underlying phases of technical research, market analysis, and periodic housing inventories, as well as with the ultimate actual construction. It provides for the varied needs of our urban and rural areas alike, and for those of moderate and low income, as well as for those higher in the income scale. It carefully defines the respective spheres of action of the Federal Government and of local communities, and of private enterprise and public endeavor; and, in both cases, it weights the balances effectively in the direction of the sharpest possible expansion of the area of operations of private enterprise and of localities. It concentrates on the encouragement and protection of home ownership, and at the same time pays full heed to our rental housing needs. It bears constantly in mind the needs of our returning veterans. It guarantees that at the Federal end, at least, there will be a unification of activity and purpose, a harnessing of responsibility, and a simplicity of organizational pattern that will eliminate many of the deterrents and obstacles which have hindered housing and related community development in the past. And, with all this, the bill nevertheless manages to cover all the various tag ends invariably present in programs of this comprehensive nature, including the bringing up to date of our legislation on the disposition of war housing and the provision of a variety of perfecting amendments to all of our basic existing Federal housing legislation.

Taken as a whole, the bill represents recognition that a decent home for every American family can be attained, and therefore must be attained, in a nation as wealthy and resourceful as the United States. It provides a rounded and integrated program toward this end.

#### POLICY PREAMBLE

At the very outset the bill, in a policy preamble, would establish as the keystone of the national housing policy that private enterprise shall be encouraged to serve as large a part of the total housing need as possible and that governmental assistance shall be utilized where feasible to enable private enterprise to serve still more of the total need. Complementary to this basic policy, the preamble declares as a further national policy that governmental aid to clear slums and provide adequate housing for those whose incomes are so low that they could not otherwise be served shall be extended only to those localities which estimate their own needs and demonstrate that these needs cannot fully be met otherwise.

#### TITLE I—UNIFIED NATIONAL HOUSING AGENCY

Following the establishment of this policy, the bill proceeds to consolidate the basic housing functions of the Federal Government into a single agency, upon which the responsibility for attaining the national housing objectives and effectuating the national housing policy can be focused in clear-cut manner. In so doing, it does not disturb the basic permanent pattern already established by the Congress, involving three major operating units in the housing field, but it does gather together these units—the Federal Home Loan Bank Board, the Federal Housing Administration, and the United States Housing Authority—into a single agency under one policy-making head.

#### TITLE II—RESEARCH, LOCAL HOUSING STUDIES AND PLANNING

Having provided the necessary organizational pattern for operations, the bill immediately concentrates on providing the aids necessary to enable private enterprise and localities to do as much of the total housing job as possible. Toward the end of better equipping private enterprise and localities to meet more of the housing need by their own

efforts, the bill authorizes a program of housing research, and of encouragement of local community study of housing needs and markets and improvement in local planning. For research it authorizes \$12,500,000 to be appropriated for a 5-year program. For local housing and planning studies it authorizes \$25,000,000 in Federal funds to be appropriated, on an equal matching basis with the communities, for a 5-year program. Thus, \$50,000,000 would be devoted to this latter purpose, and the sponsors believe that this will be adequate to enable communities throughout the Nation to study and plan comprehensive housing endeavors to clear their slums and to redevelop their deteriorating areas in accord with long-range plans. The bill also provides advance loans for this same planning purpose, from loan funds otherwise available under the bill for project purposes. Thus, the sponsors have no concern that the aggregate funds for study and planning will be inadequate. If more funds are needed, they can be increased in the light of experience after the 5-year program gets under way.

#### TITLES III AND IV—PRIVATELY FINANCED HOUSING FOR MIDDLE INCOME FAMILIES

The bill then concentrates upon enabling private enterprise to expand its activities in the so-called middle market or "no man's land" of housing, by building upon and strengthening the FHA system so that families that can pay between \$20 and \$40 a month for rent can be reached in a greater volume.

The first main plan for this middle-income privately financed housing sets up a special plan for small home ownership with FHA insurance. This plan raises the amount of principal obligation eligible for insurance from 80 percent or 90 percent of the cost of the housing to 95 percent, thus reducing the down payment required of the middle-income family to 5 percent. To make the terms more favorable, it extends the period of amortization from 20 or 25 years to 32 years. It also reduces the maximum interest rate allowable under the statute from 5 percent to 4 percent. It provides additional insurance protection to promote the flow of capital on these more favorable terms. Considerable thought was given to fixing the maximum statutory interest rate at 3½ percent under this plan. I hope and believe that this rate will be obtained in practice. However, it was felt that the rate should not be set so low at the commencement of the program as to cast doubt upon the likelihood of obtaining a free and immediate flow of funds all over the country for this plan. This plan also includes firm commitments to builders, up to 85 percent of the cost of the house, so that they may undertake construction in volume, before finding owner-occupants, and thus achieve savings and better planning. This plan is limited to houses where the principal loan is not more than \$5,000, which means about a \$5,300 house. This makes it clear that the plan is designed to serve middle-income families. The monthly cost to the occupants under this plan will be sufficiently below those thus far obtained in volume to reach well into the middle market for those who can pay between \$20 and \$40 a month.

The second main plan of the bill for these middle-income families to be served by private enterprise provides for FHA insurance of private financing for mutual home ownership or rental projects. In this case the insured mortgage may be as high as 95 percent in the case of mutuals or public instrumentalities, and 90 percent in other cases. The 95 percent insured mortgage at the long term and the low rate would be available for mutual or cooperative housing undertaken by labor groups or other groups. It would also be available if a public corporation or instrumentality wanted to get the benefit of such FHA-insured private loans to provide

middle-income housing. The amortization period is extended to 40 years. The maximum interest rate is fixed at 3½ percent. I hope that the actual rate obtained will be closer to 3 percent. Consideration was given to fixing the maximum rate at 3 percent, but there was concern that this would not promote the free flow of capital in volume all over the country for this purpose quickly. As a matter of fact, the monthly cost to the middle-income occupants per dwelling unit will be less than a dollar and one-half more under a 3½-percent rate than under a 3-percent rate. Additional insurance benefits are written into the plan in order to assure lending on these more favorable terms. It is estimated that, in typical urban areas, this plan will result in mutual or rental housing at monthly costs to the occupant getting as low as \$30 a month, which is the very center of the middle market.

In order to assure an adequate mortgage market for this last-mentioned plan, the Federal National Mortgage Association is authorized to make loans and to deal in and underwrite mortgage lending under this plan, so that this Government Corporation in accord with the purposes for which it was established will reinforce these operations and assure their success.

The bill also strengthens the already existing housing tools of the Federal Home Loan Bank Administration and the Federal Housing Administration, so as to enable them to service our general housing needs and our returning veterans even more effectively. In the case of the Bank Administration, it does so, first, by expanding the lending powers of the Federal home-loan banks and of federally-chartered savings and loan associations so as to permit them to participate more effectively in the servicing of our overall and varied housing needs; secondly, by improving the insurance protection provided by the Federal Savings and Loan Insurance Corporation and, at the same time, reducing the costs of such protection; and thirdly, by generally perfecting the methods of operations of all three of these types of housing agencies and institutions. Similarly, the bill contains perfecting amendments with respect to all basic phases of FHA's home financing program, including its title I modernization and improvement program, its home ownership program, and its rental housing program.

#### TITLE V—DIRECT PRIVATE INVESTMENT IN HOUSING FOR MIDDLE INCOME FAMILIES

As another plan for privately financed housing for families of moderate or middle income, the bill establishes an FHA insurance system to encourage financial institutions, such as life insurance companies, savings banks, or other large aggregates of capital, to make direct investment of their own funds in large scale housing projects. The bill seeks to accomplish this through a "yield insurance" system, under which the direct investor would be able to insure the return of its capital at a 2 percent annual rate, and to insure a 2¾ percent annual yield on its outstanding investment, in exchange for assuming the obligation to invest money in housing projects on a 50-year basis at an annual return upon outstanding investment ranging from 3¼ to 4 percent.

#### TITLE VI—URBAN REDEVELOPMENT

In order to encourage private enterprise to participate, along with public endeavor, in the clearance of slums and blighted areas and the preparation of land for redevelopment, the bill sets forth a 5-year program of Federal aid to localities for land assembly, clearance, and preparation for redevelopment. This is sometimes called "urban redevelopment." The essence of this plan is that Federal and local aid will be combined to bring the cost of acquiring this land and preparing it for redevelopment down to the point where its re-use for various purposes

will be feasible. These various re-use purposes will include, in accord with master plans of the localities, privately financed housing for upper and middle income groups, public housing for low income families, and commercial redevelopments and open spaces. Of course, the aid under this plan extends only to the acquisition and preparation of the land, and the write-down of its cost to its re-use value, and does not extend to the various building undertakings that will be put upon the land as it is redeveloped.

For this plan, the bill provides \$500,000,000 in temporary Federal loans to localities, which are designed to get the land-assembly and clearance projects started, and which must be repaid in full within 5 years. The bill also provides a 5-year program, at the rate of \$50,000,000 a year, in permanent Federal loans in connection with these land-assembly and clearance projects. These loans, too, must be repaid in full with interest, in not more than 45 years.

The write-down of the land to its reuse value is to be accomplished by Federal and local subsidies, with the requirement that the local contributions must equal at least 50 percent of the Federal contributions base. For the Federal contributions, a 5-year program is set up, with authority to contract for \$4,000,000 of annual contributions (such annual contributions to run for not more than 45 years) in each of the 5 years. Thus, at the end of 5 years, the Federal Government would be committed at most to \$20,000,000 in annual contributions. This, together with local contributions, would be enough to cover about \$1,500,000,000 worth of land acquisition and preparation for redevelopment. It is estimated that this would cover about one-tenth of all the slum and blighted areas throughout the country. It is estimated that a program of this size might generate six or seven billion dollars' worth of rebuilding activity.

#### TITLE VII—LOW-RENT PUBLIC HOUSING

The bill also resumes and expands the low-rent public-housing program, undertaken before the war under the United States Housing Act. The bill provides a 4-year program of Federal annual contributions for this purpose, authorized at the rate of \$22,000,000 a year, so that at the end of the 4-year period the Federal Government would be committed to an additional maximum of \$88,000,000 in annual aid to help reduce the rents on low-rent public housing undertaken by local housing authorities. This would provide, over the 4-year period, about 500,000 additional units of low-rent public housing. This title also provides for a rehabilitation program to supplement new construction.

#### TITLE VIII—RURAL HOUSING

The bill also provides for a substantial program of rural housing, to help low-income families on the farm and in the other rural areas to attain decent housing. This part of the bill contemplates cooperation between the Department of Agriculture and the National Housing Agency. This part of the bill takes two approaches—first, low-interest loans by the Department of Agriculture for housing for those on the farms who can be helped in this way; and second, the bill provides a system of annual contributions of \$5,000,000 a year for a 5-year period, coming to \$25,000,000 a year at the end of the fifth year, to enable farm families of very low income to obtain decent housing and gradually to move toward home ownership. This part of the rural-housing program could be operated through local-housing agencies, under a variant of the established public-housing program, which adapts it to the special needs in rural areas.

#### TITLE IX—DISPOSITION OF PERMANENT PUBLIC WAR HOUSING

The bill also provides that, with preference to the families of veterans, the permanent public war housing built during the

war and now owned by the Federal Government may be sold to communities for local low-rent housing at a price consistent with such reuse. This will put to the best possible use such public housing now owned by the Federal Government, and will assure that the disposition of this housing does not have an unfavorable impact upon real estate or upon private enterprise.

#### TITLE X—CONSTANT INVENTORY OF HOUSING

A final important provision of the bill is that, at least once a year, the National Housing Agency shall make a complete inventory of the whole housing situation, including progress made toward attaining the goal of a decent home for every American family, including estimates of whether housing production is playing its full role of contribution toward an economy of full production and full employment, and including a requirement that the National Housing Agency at least once a year transmit to the Congress all this information along with its recommendations as to what additional housing tools and machinery are necessary to achieve these goals.

#### TITLE XI—MISCELLANEOUS PROVISIONS

This title contains a few standard miscellaneous provisions of no general interest.

#### EMPHASIS UPON VETERANS' NEEDS

It should be stressed that, throughout, the bill takes special cognizance of the acute needs of returning veterans and their families. Reasonable preferences for veterans and their families are provided in many sections of the bill. More important, it is only through a comprehensive housing program which looks at the picture as a whole and is based on economic reality that we can evolve sound attention to the housing needs of our veterans in their varying economic circumstances and bring these veterans more rapidly into their full participating role in our civilian economy.

#### TIME OF HEARINGS

Hearings upon this most important bill have been set for November 27 before the Senate Banking and Currency Committee. The nature of the sponsorship of the bill, and the tremendous Nation-wide concern about it, bodes well for its speedy passage.

Mr. WAGNER. As chairman of the Senate Banking and Currency Committee, I am inviting Senators ELLENDER, CHAVEZ, and LA FOLLETTE, of the Senate Education and Labor Committee, to participate in the hearings on this bill because, as members of the Subcommittee on Housing and Urban Redevelopment of the Senate Postwar Committee, they took part in the extensive investigation conducted by that subcommittee and in the formulation of its report which was of so much assistance in the preparation of the bill which I am introducing today on behalf of myself, Senator ELLENDER, and Senator TAFT.

Mr. ELLENDER. Mr. President, the housing bill which has just been introduced will prove once again to those who mistakenly regard the Senate as a forum for disagreements that Senators can work together and reach agreements when vitally important issues are at stake.

I regard the housing problem as perhaps our most important single postwar economic and social issue. Its wise solution will have an important bearing upon our living standards, our social contentment, and our economic prosperity.

That is why I take such particular satisfaction in the introduction of this

bill jointly by the distinguished senior Senator from New York, the distinguished senior Senator from Ohio, and myself. We have worked long and laboriously, during open hearings and in executive session, to evolve and perfect this housing bill.

I believe that it is a fair bill—fair to every interest and group, including private enterprise, public officials, and others who have a legitimate and progressive interest in providing decent housing for the American people.

I believe that it is a practical bill, steering a middle course, avoiding the evil of trying to go too far, and at the same time avoiding the even greater evil of being afraid to go far enough.

I believe that it is a forward-looking bill, looking to the future rather than the past, and based upon the realization that our inherited housing standards are not good enough for the richest and most powerful Nation in the world.

I believe that it is a thoroughly workable bill in all its aspects.

I believe that it is an imperatively necessary bill—necessary at once because of the critical housing shortage and because of the economic problems of investment and employment which confront us in staggering proportions.

I believe that it is a bill which has immense popular interest, and which will win ever-increasing support as its purposes and provisions are more clearly understood.

I believe that it is a bill which will not be defeated by reaction or misrepresentation.

I have prepared a detailed explanation of the bill, section by section. In view of the amount of interest in it, Mr. President, I should like to have printed in the RECORD immediately following my remarks this detailed explanation which I now send to the desk for that purpose.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### DETAILED ANALYSIS OF GENERAL HOUSING BILL POLICY PREAMBLE

The purpose of this policy preamble is to set forth succinctly our national housing objectives as established by the Congress and the basic underlying principles to be followed in attaining these objectives.

Section 1: This section provides a short and convenient form of citation to the bill, "General Housing Act of 1945."

Section 2: This section, as the policy preamble to the bill, sets forth this country's primary housing objectives. In so doing it stresses the Nation's interest in housing production and related community development because of the basic contribution they can make both (1) toward improving the health and living standards of the people, and (2) toward an economy of full production and full employment. Thus the policy preamble calls attention specifically to the need for housing production and related community development sufficient to remedy the serious cumulative housing shortage, to eliminate slum and blighted areas, to realize as soon as feasible the goal of a decent living environment for every American family, to redevelop communities so as to advance the growth and wealth of the Nation, and to enable the construction industry to make its full contribution toward an economy of full production and full employment.

The keystone of the national housing policy established by the Congress in this pre-



able to facilitate the attainment of these objectives is that private enterprise shall be encouraged to serve as large a part of the total need as it can and that governmental assistance shall be utilized where feasible to enable private enterprise to serve still more of the total need. As a complementary policy the section states that governmental aid to clear slums and provide adequate housing for those whose incomes are so low that they could not otherwise be served shall be extended only to those localities which estimate their own needs and demonstrate that these needs cannot fully be met by reliance solely upon private enterprise and without such aid.

So that the responsibilities and activities of the Federal Government may be properly geared and best adapted to contribute effectively toward the attainment of the national housing objectives, the section establishes as an additional underlying policy that the main functions of the Federal Government in housing and related community development shall be consolidated for unified and efficient action at the Federal level.

Section 3: This section sets forth in summary outline the basic content of the various titles of the bill.

#### TITLE I—NATIONAL HOUSING AGENCY

This title consolidates the basic housing functions of the Federal Government into a single agency, upon which the responsibility for attaining the national housing objectives and effectuating the national housing policy can be focused in clearcut manner. In so doing, the title does not disturb the basic permanent pattern established hitherto by the Congress, involving three major operating units in the housing field, but it does gather together these units and their functions and activities into a single agency under the same policy-making head.

Section 101: This section establishes a National Housing Agency for the purpose of achieving the unified and coordinated activity in executing the national housing policy, and of promoting the economy and efficiency, specified in the policy preamble set forth in section 2.

Section 102: This section provides for a single Administrator as the head of the agency, to be appointed by the President with Senate approval, and to receive compensation at the rate of \$12,000 per annum. The section transfers to him (in addition to such other functions as he may obtain from other provisions in the bill) the main policy functions, powers, and duties under Federal war-housing legislation which are now vested in the Administrator of the temporary, wartime consolidation of housing agencies effectuated in 1942.

The section also provides for an official seal for the agency.

Section 103: This section provides for three constituent units representing the three basic "task forces" or "action" agencies which are to carry into operation, under the general coordination and supervision of the National Housing Administrator, the national housing program. These three constituent units would be known as the Federal Home Loan Bank Administration, the Federal Housing Administration, and the Federal Public Housing Authority; and each of them would be headed by a Commissioner appointed by the President, with Senate approval, and receiving compensation, respectively, at the rate provided under present law for the Chairman of the Federal Home Loan Bank Board, the Federal Housing Administrator, and the Administrator of the United States Housing Authority.

Section 104: This section sets forth specifically the functions vested in each of the three Commissioners. It places in the Federal Home Loan Bank Commissioner the functions, powers, and duties of the Federal Home Loan Bank Board; the Board of Trustees of the Federal Savings and Loan Insurance Corporation; and the Board of Directors

of the Home Owners' Loan Corporation. (As a practical matter, this vests in the Commissioner only the functions of a single board since by law the members of the Home Loan Bank Board are automatically also the Board of Trustees of FSLIC and the Board of Directors of HOLC.)

The section vests in the Federal Housing Commissioner the functions, powers, and duties of the Federal Housing Administrator and places under his jurisdiction the Federal National Mortgage Association (which was chartered by FHA for the purpose of assuring a secondary market for FHA insured mortgages and is now under the jurisdiction of the Federal Loan Agency which owns its capital stock).

In the Federal Public Housing Commissioner are vested the functions, powers, and duties relating to the public-housing activities of the Federal Government. These include the prewar public-housing functions consisting of (1) the low-rent housing and slum-clearance program authorized by the United States Housing Act of 1937, and (2) the non-farm-housing projects of the Farm Security Administration already transferred to FPHA under the temporary wartime consolidation of housing agencies. They include also all of the public war-housing functions (exclusive of those transferred to the National Housing Administrator under section 102 and those relating to War and Navy Department housing located on military or naval reservations).

Section 105: This section provides for the transfer to the National Housing Agency of all property and personnel held or employed in connection with the administration of any function being transferred to the Agency.

Section 106: This section is a technical provision providing for the transfer to the National Housing Agency of all unexpended portions of appropriations and authorizations heretofore made available for the functions being transferred to the Agency.

Section 107: This section provides for the preservation of all rights under existing obligations and contracts made in connection with any of the functions being transferred to the National Housing Agency, and for the continuance of all rules and regulations issued in respect of any such functions until modified or repealed by appropriate administrative action.

Section 108: This section vests in the Administrator and the Commissioners the usual administrative powers necessary for efficient operations, such as powers relating to appointment of personnel, travel, purchase of supplies, etc.

Section 109: For purposes of sound and efficient administration, this section authorizes the Administrator and the Commissioners to delegate to subordinate officers such of their functions, powers, and duties as may be found desirable.

Section 110: This section is a technical provision authorizing the appropriation of the moneys necessary for administrative expenses of the Agency.

Section 111: This section calls for an annual report to the Congress on the operations of the Agency, with which would be submitted the reports required under present law from each of the three major operating units being consolidated into the Agency.

Section 112: This section sets forth the usual provision with respect to the authority of heads of Government agencies or units to make such rules and regulations as may be necessary for the performance of the functions vested in them.

Section 113: This section sets forth as the effective date of title I, the date of the appointment of the Administrator and the three Commissioners provided for in the title. It further provides that on such date Executive Order 9070 providing for the wartime consolidation of housing functions shall cease to be effective.

#### TITLE II—RESEARCH, MARKET ANALYSIS, AND LOCAL PLANNING

The purpose of this title is to authorize a program of housing research and of encouragement of local community study of local housing needs and markets and of improvement in local planning, toward the end that private enterprise and localities will be better equipped to meet more of the total housing need through their own efforts.

Section 201: This section authorizes the National Housing Administrator to make, in cooperation, where feasible, with other Federal and local governmental agencies, studies, and reports with respect to (1) building materials and methods of production, design, and construction, and zoning laws and other codes and regulations, for the purpose of developing sound housing standards and reducing housing costs; and (2) the improvement of employment and investment opportunities in house building, better methods of home financing, and other matters affecting housing and related community development. The section authorizes an appropriation for these purposes of not to exceed \$12,500,000 over an initial period of 5 years.

The section further authorizes the National Housing Administrator to encourage localities to make studies, surveys, and plans with respect to their own housing needs, markets, and development, and to provide them (where requested and needed) with technical advice and guidance for these purposes.

Section 202: This section authorizes the National Housing Administrator to provide local public bodies with financial aid for the making of the studies, surveys, and plans specified in section 201. Any such financial aid would be on a matching basis, with the Federal aid limited to 50 percent of the cost of such studies, surveys, and plans. The section authorizes for this purpose the appropriation of not to exceed \$25,000,000 over an initial period of 5 years.

Section 203: This section provides that, where a local public agency undertakes studies, surveys, and plans of the character described in section 201 in preparation of land assembly or low-rent housing projects for which Federal assistance is authorized by this bill or the United States Housing Act of 1937, loan assistance may be made to such agency to aid in financing the cost of such surveys, studies, and plans and other necessary work in the preparation of the projects. Such loans would be made on the condition that they would be repaid with interest out of any funds which become available to the local agency for the undertaking of the project involved.

#### TITLE III—AMENDMENTS TO EXISTING AIDS TO PRIVATELY FINANCED HOUSING

The basic purpose of this title is to strengthen the already existing housing tools of the Federal Home Loan Bank Administration and the Federal Housing Administration so as to enable them to service the moderate income groups and our returning veterans much more effectively than they are able to under present statutory provisions. Thus, this title is intended appreciably to broaden the area that private enterprise could serve. Toward this end, the title provides for improvements in the operations of federally chartered savings and loan associations, the Federal home loan banks, the Federal Savings and Loan Insurance Corporation, and the Federal Housing Administration.

#### FEDERAL SAVINGS AND LOAN ASSOCIATION OPERATIONS

Section 301: This section expands the lending powers of federally chartered savings and loan associations so as to permit such associations to participate more effectively in

the servicing of the over-all and varied housing needs of this country. This section would:

1. Authorize Federals to participate in the FHA insurance program without restriction. (At present Federals are not authorized to make home-repair or modernization loans insured by FHA unless they are also secured by first mortgage; or home-mortgage loans insured by FHA unless the dwelling is within a 50-mile radius of the home office; or, except to a limited extent, rental-housing-project loans insured by FHA under its section 207 program. The section, in removing these restrictions, would remove them also with respect to mortgages which FHA has made a commitment to insure.)

2. Permit Federals to participate without restriction also in the Federal home-loan-guarantee program for veterans provided by the GI bill of rights. (Under existing law Federals may not make second-mortgage loans to veterans even though such loans are fully guaranteed by the Administrator of Veterans' Affairs, nor may they make home-repair loans guaranteed by such Administrator unless they are also secured by first mortgage.)

3. Authorize Federals to participate, either individually or jointly with other home-financing institutions, in the yield-insurance program for direct investment in rental housing provided under title V of this bill.

4. Provide a clarifying amendment required to remove an ambiguity in the present law as to the lending powers of Federals with respect to homes. Under present statutory language, a federally chartered association may make real-estate loans only on first liens of not more than \$20,000 on homes or combination of homes and business property within 50 miles of its home office, except that not over 15 percent of its assets may be loaned on first liens or other improved real estate without regard to these limitations as to amount and location. Under this wording there is doubt whether homes (and combination of homes and business property) are included within this 15-percent provision, and the purpose of the amendment would be to make it clear that they, as well as commercial properties, are included.

#### FEDERAL HOME-LOAN BANK OPERATIONS

Section 302: The purpose of subsection (a) of this section (which, together with sections 303 and 304, is designed to improve Federal home-loan bank operations) is to remove present restrictions relating to participation by the bank system and its members in the FHA insurance, and the Veterans' Administrator guarantee, programs. Specifically, it would permit such banks to accept as collateral for advances to their member home financing institutions any loan insured or guaranteed by the FHA or Veterans' Administrator. As in the case of those FHA insured mortgages which are eligible as collateral under the present statutory provision, such advances would be authorized in amounts not exceeding 90 percent of the unpaid principal of the loan being used as collateral. (Under present law, home-loan banks may not accept as collateral for their advances loans insured by FHA under its title I home repair and modernization program; rental housing mortgages insured by FHA under its sec. 207 program; or home loans with more than 20 years maturity insured by FHA under its sec. 203 program. Nor may they presently accept as collateral home repair loans to veterans guaranteed by the Veterans' Administrator, or second mortgage loans guaranteed by such Administrator. In removing these restrictions, this subsection would, where FHA insurance is involved, remove them also with respect to mortgages which FHA has made a commitment to insure.)

Subsection (b) of this section would encourage and facilitate the making of home loans with longer than 20-year maturities by

Federal home-loan bank members by authorizing the banks to make advances to such members on home mortgage loans (whether or not FHA insured) with maturities of up to 25 years as contrasted with a present limitation of 20 years.

Section 303: This section would enlarge the base for issuance of debentures by the Federal home-loan banks (to obtain funds to make advances to members) by including in such base Government obligations owned by the banks. The original legislation establishing the bank system provided for the issuance of debentures in a maximum amount based upon collateralized loans made to member institutions, including loans collateralized by obligations of the Federal Government held by the members. The debenture base, however, was not made to include investments made by the banks directly in Government obligations. This situation would be rectified by this section.

Section 304: This section would amend the present statutory provision requiring semi-annual examination of the Federal home-loan banks by FHLBA so as to require only annual examination. Under this amendment, FHLBA would still have the power, as at present, to examine the banks at any time, but would not be required to do so more than once a year. This change, therefore, while preserving all essential authority, would make possible substantial savings both in money and personnel.

#### FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION OPERATIONS

Section 305: This section, together with section 306, provides for certain basic changes in the financial operations of the Federal Savings and Loan Insurance Corporation. When FSLIC was established in 1934, its entire capital stock in the amount of \$100,000,000 was provided by HOLC, and the statute providing for such capital subscription required that FSLIC pay to HOLC an annual dividend at a rate equal to the interest rate on the bonds issued by HOLC to provide the funds for the subscription. The bonds so issued bore an interest rate of 3 percent, so that this has determined the amount of the annual dividend to HOLC to date. However, these 3 percent bonds have been refunded, with the result that the cost to HOLC on its capital subscription to FSLIC is now less than the amount the statute requires FSLIC to pay in dividends to HOLC. Subsection (a) of this section would correct this situation by providing that henceforth such dividends shall be in line with the current cost to HOLC on its borrowings.

The purpose of subsection (b) of section 305 is to strengthen the insurance protection afforded by FSLIC by authorizing, but not requiring, the Treasury to purchase FSLIC's debentures. In this way, there is better assurance that FSLIC will at all times be able to meet its insurance obligations without undue difficulty. The subsection limits the aggregate amount of debentures that the Treasury might thus purchase to three times FSLIC's capital stock, reserves, and surplus.

Section 306: This section would, in line with FSLIC's experience with respect to losses and income in its 11 years of operations, reduce the premium chargeable for FSLIC insurance from one-eighth of 1 percent (of accounts insured plus creditor obligations) to one-twelfth of 1 percent. This change in premium rate would become effective as of July 1, 1946.

#### FEDERAL HOUSING ADMINISTRATION OPERATIONS MODERNIZATION AND IMPROVEMENT LOANS

Section 307: This section, together with the remaining sections in Title III, is designed to effect improvements in FHA operations with respect to all three of its present insurance programs, including home modernization and improvement loans, home mortgage loans, and rental housing mortgage loans. Section 307 itself expands FHA's title I modernization and improvement in-

surance program by authorizing it (1) to insure loans under this program with maturities of up to 5 years, as compared with a present limitation of 3 years, and (2), in the case of multifamily houses and institutional and commercial properties, to insure loans of up to \$10,000 in amount (as compared with a generally applicable \$2,500 maximum) and 7 years in maturity. At the same time, there would be eliminated from the title its special war housing provisions (insurance of loans of up to \$5,000 in amount and 7 years in maturity for home modernization and improvement which would assist the war effort).

#### INSURANCE OF EXISTING HOMES

Section 308: This section eliminates two limitations on FHA insuring activity with respect to mortgages on existing homes. Under the present statute, the aggregate amount of mortgages on existing dwellings that FHA may insure (using mid-1939 as the base date) may not exceed 35 percent of the total amount of FHA insured mortgages. Also, under the present statute FHA would not be able to insure mortgages altogether on existing properties after July 1, 1946, unless the property has previously been covered by an insured mortgage. Both these provisions are eliminated from the statute by this section.

#### ENCOURAGEMENT AND PROTECTION OF HOME OWNERSHIP

Section 309: The purpose of this section is to encourage home ownership and afford necessary protection to those undertaking such ownership. It would do so: (1) by authorizing a maximum maturity of 25 years with respect to home mortgages on new construction generally, instead of limiting such maturity to newly constructed single-family, owner-occupied, homes costing \$6,000 or under; and (2) by permitting the lapsing of principal and interest payments, and extensions of maturity, where the mortgagor, because of unemployment, economic conditions, or misfortune beyond his control, is unable to meet his mortgage payments. In the case of this latter provision, the period of maturity could be extended up to 1 year at any one time or up to 3 years in the aggregate.

Section 310: This section permits a pro rata refund of insurance premium where the mortgage is paid off within a premium year. Under the present statute, such refund may be made only if a new mortgage on the same property is accepted for insurance at the time of the payment of the one previously insured.

#### TIME EXTENSION FOR VETERANS

Section 311: This section is designed to protect those veterans and their dependents who have been unable to keep up their mortgage payments during the period of military service. It authorizes the FHA to consent to the modification and extension of the maturity of any such mortgage, so long as the extended maturity within which the mortgage is to be amortized does not exceed the unexpired term of the mortgage plus a period equal to the period of military service. In effect, this permits the FHA and the mortgagee to accord to the veteran by voluntary agreement the same relief which he could obtain by court action under the provisions of the Soldiers' and Sailors' Civil Relief Act, but without the expense and delay attendant upon such action.

#### MISCELLANEOUS AMENDMENTS WITH RESPECT TO HOME OWNERSHIP

Section 312: The purpose of this section is to provide protection hitherto lacking to the small home owner against defects in construction, faulty materials, or workmanship, and violation by the building contractor of his contract obligations. Under this section the principal contractor would, as a condition to FHA insurance, be required to provide adequate warranty against such defects or



breach of contract of which he is notified within 1 year following the completion of the dwelling.

Section 313: This section reinstates a recently expired authorization to FHA to include certain foreclosure costs among the insurance benefits in the case of mortgages covering homes of \$6,000 or under. The purpose of this reinstatement is to insure continued participation by lending institutions in the financing of low-cost homes on the most favorable terms possible to the moderate-income home owner.

#### RENTAL HOUSING INSURANCE

Section 314: This section would in effect reinstate FHA's section 210 program which was stopped in 1939 and under which FHA was authorized to insure mortgages of up to \$200,000 in amount on housing projects or developments constructed for either rental or sale purposes. The basic differences between the plan of operations under section 210 and under FHA's section 207 program were (1) the concentration of section 210 on the small sized project or development; and (2) the statutory requirements present in the case of section 207 projects, but absent in the case of section 210 housing, calling for the formation of special, limited dividend, corporations and for FHA controls over management and operations.

Section 314 would reinstate the section 210 program by appropriate amendment to section 207 rather than by a reenactment of the old section 210 itself. It does so by making inapplicable to section 207 mortgages not exceeding \$250,000 in amount (as compared with the previous \$200,000 limitation in sec. 210), the statutory requirements calling for the formation of special corporations and for FHA controls over management and operations.

Section 315: This section provides for three basic improvements in section 207 rental housing operations:

1. It perfects the present provisions with respect to the amount of project cost that may be covered by the mortgage loan. The two basic limitations provided in the present statute are: (i) That the loan may not exceed 80 percent of project value, and (ii) that it may in no event exceed the cost of the completed physical improvements. However, in defining "costs" for the purpose of determining the portion thereof that may be covered by the mortgage loan, certain items such as taxes, financing charges, utilities, and other expenses are excluded. In order to facilitate the evident intent of the act to permit the insurance of a true 80-percent loan, and on the basis of experience under FHA's title VI war-housing program, this section would amend the statutory definition of project "value" and "costs" so as to include certain of the presently excluded cost items.

2. It authorizes insurance of mortgages up to \$50,000,000 in amount (as compared with the general limitation of \$5,000,000) if the housing project is undertaken by a Federal, State, or municipal instrumentality, or a limited dividend corporation formed under, and restricted by, Federal or State law as to rents, charges, capital structure, rate of return, or methods of operation. It would also make inapplicable to these projects the statutory limitation that the mortgage loan may not exceed the cost of the completed physical improvements; that is, land costs may be included so long as the total amount of mortgage loan does not exceed 80 percent of project cost. These amendments are intended to make possible, assistance under the FHA-insurance program to large rental-housing projects contemplated under State urban-redevelopment laws.

3. It would substitute a maximum cost limitation of \$1,500 per room for the present limitation of \$1,350, and in this way permit greater flexibility.

Section 316: This section would permit FHA to charge a maximum fee of 1 percent

(of the mortgage loan) to cover appraisal and inspection costs on rental-housing projects, as compared with the present maximum of one-half of 1 percent. This would enable the FHA to recover its actual cost of processing in certain cases where the application for insurance is withdrawn before the loan is insured.

Section 317: This section eliminates the present statutory requirement that where FHA takes over a rental housing project as a result of default of the mortgagor and, through its efforts, ultimately realizes a profit on the transaction, such profit must be turned over to the mortgagor. It is not believed that the defaulting mortgagor corporation is entitled to such a gratuity but that such profit, if any, should accrue to the insurance fund to offset losses incurred in other cases.

#### TITLE IV—PRIVATELY FINANCED HOUSING FOR FAMILIES OF LOWER INCOME

This title recognizes that there are income groups which can and should be served by private enterprise rather than by public housing endeavor, but whom private enterprise would not be able to serve under existing programs even when strengthened by the provisions of title III. It, therefore, provides, in the case of both home ownership and rental housing, for a supplementing of the existing systems of FHA mortgage insurance with special aids for families of lower income who require more favorable terms than such existing systems offer. Thus, it would effectively complement title III in appreciably broadening the area which private enterprise can serve.

Section 401: This section points out specifically that title IV is not designed to supplant or alter any of the existing systems of mortgage insurance under FHA, but only to supplement them with special systems for families of lower income who require more favorable terms than can be offered under FHA's existing programs.

#### FHA SUPPLEMENTAL MORTGAGE INSURANCE FOR HOME OWNERS OF LOWER INCOME

Section 402: This section, together with section 403, provides the supplemental system of mortgage insurance for individual family homes. It authorizes, in order to assist lower-income families who could not be served under the existing FHA program, a combination of a 95 percent loan, 32-year maturity, and a maximum 4 percent interest rate. This supplemental program would be limited to mortgages not exceeding \$5,000 in amount, or a lesser amount when the Administrator finds that for any section of the country or at any time a lower-cost dwelling for families of lower income is feasible without sacrifice of sound standards of construction, design, and livability. In order to stimulate building activity in this low cost home field, the section authorizes firm commitments to builders of such housing (i. e., the insuring of the temporary loans necessary during the construction process) in amounts up to 85 percent of appraised value as compared with the generally applicable limitation of 80 percent.

Section 403: The purpose of this section is to provide increased insurance benefits to the mortgagee lending institution in order to encourage participation by home financing institutions in this supplemental program. Under the provisions of the section, the mortgagee would receive complete insurance against loss subject only to a deduction in an amount equivalent to one-half of 1 percent of the unpaid principal, thus substantially reducing the possibility of loss resulting from default in interest or from foreclosure expenses that the mortgagee assumes under the existing FHA home-mortgage insurance program.

#### FHA-MUTUAL OWNERSHIP AND RENTAL HOUSING

Section 404: This section, together with section 405, sets forth the special supple-

mental program needed for large-scale housing projects for families of lower income. The program involves a combination of a 90-percent loan, 40-year maturity, maximum interest rate of 3½ percent, and provision for lapsing, when necessary, of principal or interest payments, and extensions of amortization period. Also, in order to encourage and make possible home ownership for those families of lower income who could undertake such ownership only under some plan such as mutual ownership housing, the section makes this liberalized combination of mortgage terms available for projects undertaken by nonprofit mutual ownership housing corporations, with the additional liberalization (since home ownership is involved) of insurance of 95-percent loans. This additional liberalization is further made available to rental projects undertaken by Federal, State, or municipal instrumentalities, or State-regulated limited dividend corporations, to take care of those families of lower income who could not be served even under the 90-percent rental housing or the 95-percent mutual ownership loan plans provided in this section.

Section 405: In order to attract participation by lending institutions, this section increases the insurance benefits under the section 404 program, again to 100 percent insurance against risk, less only a deduction of one-half of 1 percent of unpaid principal, and obtainable by transfer of the mortgage itself to FHA.

Section 406: This section follows the pattern established in 1938 when the National Housing Act was amended so as to provide for the present program of FHA insurance of 90 percent, 25-year, mortgage loans on new owner-occupied homes costing \$6,000 or under. As a corollary measure, the Federal National Mortgage Association was created to assure a market for such mortgages if the market already established for FHA insured mortgages should prove inadequate for this new, higher ratio, longer term, mortgage note.

Similarly, section 406 provides that if at the outset there should fail to be an adequate market for FHA insured mortgages on housing projects for families of lower income eligible for mortgage insurance under sections 404 and 405, the Federal National Mortgage Association may provide such a market. In doing so, it would follow the pattern prescribed in sections 404 and 405 with respect to mortgages taken up by private financing institutions.

#### TITLE V—DIRECT PRIVATE INVESTMENT IN HOUSING FOR FAMILIES OF MODERATE INCOME

This title recognizes that, while the encouragement of home ownership is a fundamental objective in our national housing policy, nevertheless there is a large segment of our population which, because of income, mobility, custom, or local conditions, requires or prefers rental housing. The section also recognizes that up until now the provision of such housing, particularly for families of moderate income, has been inadequate and that such inadequacy has in very large part resulted from a reluctance on the part of institutional investors to make direct investments in such housing.

The title, therefore, provides for a special program of yield insurance, to be administered by FHA, designed to encourage direct investment in rental housing for families of moderate income by guaranteeing to those making such an investment to the extent of 100 percent of project cost, a minimum return (exclusive of amortization) of 2¾ percent per annum on outstanding investment until such time as only 10 percent of the original capital investment remains unamortized. As in the case of FHA's existing insurance programs, a self-sustaining program made possible by appropriate premium charges, is contemplated.

Section 501: This section places the proposed yield insurance program under the jurisdiction of FHA, and as a title VII to the National Housing Act, which title would consist of 13 sections, Nos. 701 through 713, and provide as follows:

"Title VII—Insurance for Investments in Rental Housing for Families of Moderate Income."

Section 701 of the proposed title VII provides the general authority to FHA to insure (and to make commitments to insure) a minimum annual return to the investor, consisting of (1) 2 percent of the original capital investment (as amortization on such investment), plus (2) a 2½ percent yield on the portion of the investment still unamortized as of the particular year involved.<sup>1</sup> Such insurance may be provided only for the period during which more than 10 percent of the original capital investment in the project remains unamortized (or, in effect, for not more than 45 years).

Section 702: Subsection (a) sets forth as the basic requirements for eligibility for yield insurance (1) that there be a need for the project in the locality to serve families of moderate income at the rentals proposed, which need is not adequately being met by private enterprise without yield insurance; (2) that the project be economically sound and afford reasonable assurance of stability and economy both in construction and operation; and (3) that the dwellings be properly designed and available for families of moderate income at rentals within their capacity to pay.

Subsection (b) of this section provides the usual clause as to incontestability with respect to any insurance contract undertaken by FHA under this title.

Section 703: This section fixes the premiums and fees that may be charged in connection with the yield insurance program. It authorizes first an annual premium charge of not more than one-half of 1 percent of the investment outstanding for the particular year for which the premium charge is payable. It authorizes also reasonable fees (but not in excess of one-half of 1 percent of the estimated capital investment) for FHA examination and inspection of the project during construction.

Section 704: This section, which relates to the rents that may be charged for the dwellings in the project, requires approval of the rent schedule by FHA. The yield insurance plan provided under this title does not make the 2½ percent minimum yield guaranteed by FHA, also the maximum the investor is permitted to derive on his investment. This is specifically recognized by the provisions of this section which provide for FHA approval of rent schedules so set up as to allow the investor a yield of 3¼ percent on outstanding investment. At the same time, however, FHA must also find that the rentals provided in the schedule are no higher than

necessary to meet the needs of the families of the incomes proposed to be served.

Section 705: This section provides that in those years, if any, in which the project yields revenues more than sufficient to provide a 3¼-percent yield on outstanding investment for that year, one-half of such additional earnings may be retained by the investor as a further return on his investment, but only to the extent that this does not result in a return for that year of more than 4 percent on outstanding investment. For the purposes of the insurance contract the balance would be regarded as being applied to accelerating the amortization of the capital investment, one effect of which would be to reduce the life of the insurance contract. The section provides, however, that in the event the project has had operating deficits in preceding years (which deficits are not covered by the insurance under this title), the excess earnings are to be applied, first, to the reimbursement of such deficits, and, second, to the payment of any premium charges previously waived because of such deficits.

Section 706: This section provides for the submission of annual financial and operating statements to FHA for its approval. The FHA is authorized to make such submission and approval a condition precedent to the payment of claims for insurance benefits.

Section 707: This section provides for cash payment of properly proved claims for insurance benefits.

Section 708: This section is designed for the situation where a project continues to operate at a loss for a substantial period, thus requiring special action. It provides that if the aggregate of the amounts paid as insurance benefits to the investor should ever equal or exceed 15 percent of the original capital investment, FHA is to have the right to take over the project against issuance to the investor of debentures having a value equal to 90 percent of the portion of the capital investment still unamortized. Conveyance to FHA at the option of the investor is authorized if the aggregate of the operating deficits (to the extent they are not made good) should ever equal 5 percent of the original capital investment. In either case the debentures issued would bear interest at not to exceed 2½ percent per annum, have a maximum maturity of 40 years, be fully guaranteed by the United States, and have the same tax-exemption privileges as debentures issued by FHA under its mortgage-insurance programs.

The section also sets forth the necessary provisions for the temporary management and disposition of any projects taken over by FHA under this section.

Section 709: This section vests in the investor the right to terminate the written contract at any time upon written notice to FHA, and it vests in FHA the authority to prescribe the conditions under which it has the option to terminate the insurance contract. The section further authorizes an adjusted premium charge in the event of termination.

Section 710: This section creates a special insurance fund (Housing Investment Insurance Fund) as a revolving fund for meeting the payment of insurance benefits, and also of administrative expenses incurred in connection with the program, and allocates \$10,000,000 to set up such fund. All income derived in connection with the program is to be deposited in the fund and all expenses, whether in payment of insurance claims or of administrative expenses, are to be paid from the fund. The faith of the United States is pledged to the payment of all approved claims for insurance benefits in the event the fund fails to make any such payment when due.

Section 711: This section provides that no real property acquired by FHA under the yield insurance program shall be exempt

from local taxation simply because of such acquisition.

Section 712: This section provides for the issuance of such rules and regulations as may be necessary or desirable for carrying out the yield insurance program, including such rules and regulations as may be necessary with respect to maintenance and inspection of project records, or as may be necessary for effecting appropriate changes in the insurance base in the event of capital improvements or additions to the project on the one hand, or sale of or damage to part of the project on the other.

Section 713: This section sets forth the definitions of the basic terms used in the title. Through these definitions, the section provides that the yield insurance program is open to any individual, group or association, or other legal entity qualified to undertake the construction and operation of the type of project that may be assisted under the title. Through these definitions, also, the section makes appropriate provision for cases where the investor has a leasehold rather than a fee interest in the land on which the project is constructed. The definitions also indicate that a project may include such community and commercial facilities as are necessary or desirable.

Section 502: This section amends two provisions of the National Housing Act which were intended at the time of their enactment to be applicable to FHA's insurance programs generally, so that such provisions will by explicit reference be applicable to the yield insurance program. The provisions affected are section 1 of that act, which sets forth the general administrative powers of FHA, and section 4, which provides for cooperation by the Reconstruction Finance Corporation in providing the funds necessary for the proper administration of FHA's various insurance programs.

#### TITLE VI—LAND ASSEMBLY FOR PARTICIPATION BY PRIVATE ENTERPRISE IN DEVELOPMENT OR REDEVELOPMENT PROGRAMS

This title authorizes a program of limited Federal aid to local communities to enable them to undertake positive and comprehensive steps for the clearance of their slum and blighted areas, so as to make such areas available for redevelopment, with the active participation of private enterprise, in accordance with sound planning principles. Two basic forms of assistance are authorized:

1. Loans, both temporary and long-term (but not in excess of 45 years in any event), to finance necessary project costs to the extent funds for this purpose cannot otherwise be obtained, and at an interest rate designed to return to the Government the cost to it of the funds it obtains to make the loans; and

2. An annual subsidy where necessary to enable the land in the slum or blighted area to be made available for redevelopment at prices consistent with proper and sound land use and planning, the payment of which subsidy is made subject to a variety of restricting provisions designed to delimit sharply the conditions under, and the amounts and periods for, which it may be made.

The title places the administration of this program of assistance for land assembly and clearance under the jurisdiction of the National Housing Administrator and requires adherence by him to the following cardinal principles in his administration of the program:

1. That any project assisted be directly related to the improvement of housing conditions in the locality;

2. That Federal assistance be confined to purposes of land assembly and clearance, as distinguished from actual redevelopment of the area;

3. That every project assisted be a local undertaking, locally planned, locally ap-

<sup>1</sup> It is to be noted that the insurance is only of a yield on the capital investment itself. The insurance does not cover against the improbable situation of deficits in expenses of operation (i. e., the amount, if any, by which operating expenses in any year exceed the revenues of that year). Should the gross revenues in any year actually be less than the aggregate operating expenses, then the actual return to the investor (exclusive of the 2 percent amortization return) in effect would be an amount equal to the difference between (1) 2½ percent of the outstanding investment, and (2) the deficit in operating expenses for the year. However, section 703 provides that in any such year the insurance premium shall be waived to the extent of such operating deficit, and section 705 provides that in any subsequent year in which there are excess earnings, such excess may be applied to make up such operating deficit (to the extent it has not been previously made up).



proved, and designed to serve local needs in every sense of the term;

4. That the plan for redevelopment shall afford maximum opportunity to, and require maximum reliance upon, private enterprise;

5. That there shall be local financial cooperation and participation to the fullest extent consistent with the ability and resources of the locality, and, in any event, in an amount equal to at least one-half of the portion of project costs that is used as the base for setting the amount of Federal subsidy;

6. That adequate provision be present for the rehousing of the families displaced by the clearance of the area; and

7. That Federal participation, whatever the form, be strictly limited to rock-bottom minimums.

Section 601: This section sets forth the general purpose of the title and declares it to be to encourage private enterprise to participate more extensively in the development or redevelopment of slum or other areas. Such encouragement would be in the form of aid to localities for the acquisition and preparation of land for redevelopment in part by private enterprise on terms comparable to the aid extended in connection with slum clearance under the United States Housing Act of 1937.

Section 602: This section sets forth the definitions of the basic terms used in the title. Through these definitions, the section provides that no area selected for redevelopment would qualify for Federal aid unless it involves either the clearance of a slum area or the development or redevelopment for predominantly residential uses of a deteriorated or deteriorating area or a defunct subdivision or other open land whose development is necessary for sound community growth. Through these definitions also, the section limits Federal assistance to the furtherance of such purposes as: (1) the acquisition of the land in the area requiring redevelopment; (2) the removal of existing structures; (3) the provision of the utilities essential for the new land uses contemplated; and (4) the making of the land available for redevelopment at prices consistent with its proposed new uses. Aid under this title to assist the construction of any of the buildings contemplated by the redevelopment plan is expressly barred. Still another effect of the definitions is to require a redevelopment plan for the project area and contiguous land sufficiently complete to indicate its relationship to definite local objectives, and to indicate also the proposed new land uses and building requirements.

Section 603: The purpose of this section is to assure that aid to projects under this title will be based upon local determination of need and maximum reliance upon private enterprise. Accordingly, it provides that any contracts for financial aid under the title may be made (1) only with a duly authorized local public agency and (2) only if the redevelopment plan is approved by the governing body of the locality or other local public body designated in accordance with local law. Moreover, such approval must include findings that the redevelopment area could not be made available for redevelopment by private enterprise alone and without the Federal aid sought; that the plan will afford maximum opportunity to privately financed development or redevelopment; and that the plan is based upon a local survey and conforms to a comprehensive plan for the locality as a whole.

Section 604: The purpose of this section is to assure that all projects assisted will (1) actually conform to the locally approved redevelopment plan, and (2) be consistent with the interests of the locality as a whole. The section, therefore, provides that as a condition to Federal assistance, the local public agency must agree to obligate those to whom it sells or leases the land in the project area, to devote the land to the use specified in the

redevelopment plan, actually to begin the building of their improvements within a reasonable time, and to give preference in the selection of tenants to families displaced by the project. The section further requires that there be feasible and satisfactory methods for both the temporary and permanent relocation of the families who have been living in the redevelopment area and who are displaced as a result of the clearance of the area.

Section 605: This section, together with section 606, sets forth the forms and degree of Federal financial assistance for land assembly and clearance projects. Section 605 itself provides for assistance in the form of loans by the National Housing Administrator. The loan provisions are premised on the expectation that the definitive financing of the cost of the project will basically be accomplished by reliance upon private capital. The section, therefore, authorizes the National Housing Administrator to make such temporary loans as may be necessary prior to definitive financing (which must be undertaken not later than 5 years following the date of the first such loan for the acquisition of land), and it authorizes permanent loans (1) for only such part of the project area as the local public agency leases for redevelopment, and (2) only to the extent that loans payable from the rentals from such leased land cannot be obtained from other sources at sufficiently low interest rates. Any loans made under this section (whether temporary or definitive) must bear interest at not less than the rate specified in the most recently issued bonds of the Federal Government having a maturity of 20 years or more at the date the contract for the loan is made (the "going Federal rate"), and the permanent loans must mature within a period not exceeding 45 years from the date of the definitive bonds.

To provide the funds necessary to make these loans, the section authorizes the National Housing Administrator to issue and have outstanding at any one time obligations in the aggregate amount of \$500,000,000 from which amount, however, only \$50,000,000 in outstanding definitive loans may be made by the Administrator on and after the date of enactment of the title, which limit is to be increased by further amounts of \$50,000,000 at the beginning of each of the second, third, fourth, and fifth years from the date of such enactment.

Section 606: This section provides for the subsidy assistance that may be provided by the National Housing Administrator in those cases where such assistance is necessary if the land in the project area is to be available for proper use and soundly planned redevelopment at prices consistent with such use and redevelopment.

In recognizing the need and providing for this subsidy—"annual contributions"—the section also recognizes, and immediately provides, that it must be strictly limited to the amounts and periods necessary to carry out the purposes of the title. In no event may the annual contributions be made over a period exceeding 45 years; nor may the maximum amount payable for any particular year exceed an amount equal to 1 percent above the going Federal rate applied against the difference between (1) the costs involved in connection with the project and the undertakings relating thereto, and (2) the new capital, or re-use, value of the land in the project area after its clearance. Also, there is excluded from this subsidy base any part of such costs as are met by any cash or other local donations received in connection with the project. And in no event may the subsidy base—for all federally assisted projects in the community considered in the aggregate—exceed two-thirds of such costs less the new capital or re-use value of the land in the project area.

As a still further limitation on the amount of Federal subsidy and the period over which

it may be made, the section provides that if in any year the receipts derived from the project exceed expenditures and charges, such excess must be used for purposes which will effectuate a reduction in subsidy in subsequent years or to repay subsidies made in previous years. Also, at any time after 10 years following definitive financing of project cost, the Administrator has the right to substitute for the payment of subsequent annual contributions a single lump sum payment equal in amount to the capitalized value of such contributions.

In addition to these various provisions designed to strictly limit the amount and period of Federal subsidy, the section further contemplates that the plan of Federal annual contributions be utilized to reduce the Federal loan assistance needed. Toward this end, it provides that payments under the annual contributions contracts may be pledged as security for borrowings by the local public agency, a provision which will facilitate the financing of project costs by private capital at the lowest possible interest rate.

The section authorizes the National Housing Administrator, upon enactment of the title, to enter into contracts providing for annual contributions aggregating not more than \$4,000,000 per annum, which limit is to be increased by further amounts of \$4,000,000 at the beginning of each of the second, third, fourth, and fifth years after the date of such enactment. Tied in with this authorization is an acceleration clause, which is also made applicable to the loan authorization provided in Section 605, under which any parts of either of such authorizations may be made available at earlier dates than provided in these two sections, upon a determination by the President that such acceleration is necessary to make land available to meet acute shortages of adequate housing, including housing for servicemen and veterans, or to stimulate employment and business activity. The funds necessary to make these annual contributions are to be made available by appropriations of the Congress, and the faith of the United States is pledged to the payment of the annual contributions contracted for pursuant to the provisions of the title.

Section 607: The purpose of this section is to assure that the aid provided for land assembly and clearance under the program provided by this title, which program is predicated on maximum opportunity to privately financed redevelopment, will be comparable to the aid made available under the United States Housing Act of 1937 for land acquisition for public low-rent housing projects, and, in this connection, to assure also that the financial aid provided in this title will not result in a double subsidy for public housing. The section, therefore, provides (1) that the obligations issued by the National Housing Administrator to obtain funds for loans under this title are to be guaranteed by the United States just as are the obligations issued by the Federal Public Housing Commissioner to obtain funds for loans for low-rent housing and slum clearance; (2) that certain provisions contained later in the bill (at section 704) designed to facilitate the local enlistment of private capital to finance substantially the entire cost of low-rent housing projects at very low interest rates shall also apply to land assembly projects undertaken under this title; and (3) that the obligations issued by local public agencies to finance the cost of land assembly projects shall have the same tax exemptions as obligations issued by local public agencies for low-rent housing. The section assures that the financial assistance under this title shall not result in a double subsidy to low-rent housing which would give it an advantage over private housing development, by providing that any land in the project area made available for low-rent housing must be paid for by the agency undertaking the housing project.

Section 608: This section is intended to assure that the locality will bear its fair share of the cost of any project assisted under this title and that it will call upon the Federal Government for aid only to the extent necessary. Toward this end, the section provides:

1. That no Federal financial assistance, either in the form of loans or annual contributions, will be given to a community for its land assembly and clearance projects where the write-down in property values is such that the new use value of the land comprising the project area becomes less than 50 percent of the costs involved in connection with the project and undertakings relating thereto (exclusive of the cost of the old buildings destroyed and their demolition), unless the difference is made up by contributions from the locality;

2. That in any event the local community must itself participate financially to the extent of at least one-half of the portion of project costs that is used as the base for setting the Federal subsidy. Such local participation may take the form of: Direct reduction of project costs or expenditures, by contributions made in cash or its equivalent; public improvements and utilities necessitated by the project or of direct benefit to it; or periodic assistance increasing project revenues and so decreasing the need for subsidy.

Where a locality undertakes more than one project with Federal assistance, these two requirements relate to such projects considered in the aggregate.

Section 609: This section, designed for the protection of labor standards, requires prevailing wages to be paid to those employed in the development of any land assembly and clearance project assisted, makes the kick-back statute applicable to all such projects, and requires monthly reports by all contractors used on the project to the Secretary of Labor as to the number of persons employed by them, the aggregate amount of their pay rolls, the total man-hours worked, and expenditures for materials.

Section 610: The purpose of this section is to give to the National Housing Administrator the technical powers necessary for the proper performance of his duties under this title. In this connection, it states that he shall appoint a director to carry out the provisions of the title under his general supervision.

Section 611: This section authorizes the sale of any Federal real property surplus to the needs of the Government and within the area of a land assembly project, to the local public agency undertaking the project at a price equal to its fair value for the use specified in the redevelopment plan.

#### TITLE VII—AID TO LOCALITIES FOR LOW-RENT HOUSING

This title provides for the resumption of the public low-rent housing and slum clearance program needed to serve those families whose incomes are so low that private enterprise, even with the improved aids provided in this bill, cannot hope to service them. In so doing, the title sets forth various provisions calculated to assure complete consistency with the basic objectives of primary reliance upon private enterprise to do as much of the total housing job as possible; increasing emphasis on community responsibility and local initiative; concentration upon the needs of veterans and their families; enlistment of local capital to do the whole job of financing the capital cost of low-rent housing projects; rehabilitation, where in order, of existing dwellings; and a general tightening up with respect to the amount and period of Federal annual subsidy to achieve low rents. The title also contains a miscellany of technical and perfecting amendments to the United States Housing

Act of 1937 that the 8 years of operations under it have indicated to be desirable.

#### LOCAL DETERMINATION OF NEED; TENANCY ONLY BY LOW-INCOME FAMILIES

Section 701: This section sets forth, at the very outset of the title, the governing principle that aid shall be extended under the title to those localities which assume community responsibility and initiative in estimating their own needs and demonstrating that private enterprise alone cannot do the whole job. Toward this end, the section requires that, as a condition of Federal financial assistance, the local public agency must submit an analysis of the local housing market showing not only that there is a need for low-rent housing which cannot be met by private enterprise, but also that a gap of at least 20 percent has been left between the upper rental limits for admission to the proposed project and the lowest rents at which private enterprise is providing (through new construction and existing structures) a substantial supply of decent housing. Thus, the section establishes as basic national policy that, even with respect to a sizable segment of the area which private enterprise cannot now serve, every opportunity is to be given to it to sharpen its tools and extend its servicing capacity downward in the income scale.

As further assurances of attainment of basic aims, the section provides that the governing body of the locality must approve the provision of any low-rent housing to be assisted by the Federal Government; that, as indicated by actual investigation, every family admitted to the project must have been ill-housed or displaced by a slum-clearance project (this requirement, however, does not apply to servicemen or veterans); and that every family admitted is actually one of low-income. Also, after admission, periodic examination must be made of the incomes of the families living in the project so that, if such income increases to the point where the family can obtain decent private-housing accommodations at rentals within its means, it will be required to move from the project.

#### VETERANS' PREFERENCE

Section 702: This section guarantees preference to servicemen and veterans where appropriate in the administration of the low-rent housing program. Specifically, as between applicants equally in need, it requires that preference be given to the families of servicemen and veterans. The section also provides that low-rent housing projects may serve veterans and servicemen without families and other individuals requiring low-rent housing.

#### COST LIMITS

Section 703: This section is designed to end certain discriminations and inequities resulting from present cost limits on low-rent housing assisted by the Federal Government. Experience has indicated that existing provisions, which place a ceiling on dwelling unit, as well as on room cost, and which provide for higher cost ceilings for cities of more than 500,000 population, are inadequate or faulty in that: (1) a limitation on cost of the entire dwelling unit hampers the provision of housing for the larger-sized family of low income and so discriminates against such families; and (2) the reason for higher ceilings for our large cities—the higher construction costs in such communities—is equally applicable to our large metropolitan districts even though the central city in the district may by itself have a population of less than 500,000. The section, therefore, eliminates the limitation on dwelling unit cost (but not the limitation on room cost, so that the essential limitation on construction costs is still retained in the act), and makes the higher ceiling for large communities applicable to cities in metropolitan districts of

over 500,000 population as well as to any city which itself has that population.

Because of special cost problems in Alaska, the section also has special provisions permitting higher costs in that Territory if found necessary.

#### LOCAL FINANCING

Section 704: The basic purpose of this section is to amend the financing provisions of the United States Housing Act of 1937 so as to make possible 100 percent definitive financing of low-rent housing projects by local capital and thus in effect limit Federal lending assistance for low-rent housing to the temporary interim financing necessary prior to the issuance of definitive bonds. Essentially, this section provides that, in the event of a substantial default by the local public agency in its covenants to FPFA of a nature which would entitle the FPFA to suspend or terminate the payment of its annual subsidies to the local agency, such project is to be conveyed to the FPFA (subject to the right of the local public agency to reconveyance upon a satisfactory curing of the default); and FPFA would continue to make annual contributions to the project. This would assure both (1) that the project will continue to operate as a low-rent housing project, and (2) that those who have furnished the capital funds for its construction in reliance upon the continuance of its low-rent character, and the making of annual contributions therefor, during the entire life of the loan, will have their investment adequately protected. With this assurance there is every reason to anticipate that local capital will be willing to undertake the job of furnishing 100 percent of capital cost in long-term loans and to do so at very low interest rates.

In recognition of the special security features that would attach to local public agency bonds as a result of this provision, and in order to facilitate substantially the flow of private capital into the public low-rent housing field, the section also provides for an amendment to the Banking Act so that national banks, and (to the extent permitted by State laws) State member banks of the Federal Reserve System, would be able to purchase in larger amounts, and to underwrite, local public agency bonds so secured. Without this amendment, investment in such bonds by these banks would be subject to the same restrictions as are applicable to local housing authority bonds which are now issued without these special security features; that is, they could not be underwritten by such banks and could be purchased for the banks' own account only to the extent of 10 percent of unimpaired capital and surplus.

In addition to substantially reducing the need for Federal loan assistance, the section also adds new limitations with respect to Federal subsidy assistance. It does so by providing: (1) that in any year when the receipts derived in connection with the project assisted exceeds expenditures and charges, the excess must be used for purposes which will reduce subsequent annual contributions; and (2) that contracts for loan and annual contributions based on one "going Federal rate" may, in the case of a change in such rate, be amended so as to base the loan interest rate, and maximum contribution payable, on the new rate whenever this would promote economy and be in the financial interest of the Federal Government.

Other financing provisions contained in the section:

1. Reduce the maximum loan period from 60 years to 45 years in the case of projects where the annual contributions are limited by statute to a 45-year period;

2. Reduce the minimum interest rate on Federal loans made for projects where the maximum loan and annual contribution period is 45, rather than 60, years, from the applicable "going Federal rate" plus one-half



of 1 percent to simply the "going Federal rate";

3. Relate the going Federal rate (which determines the minimum loan interest rate and the maximum annual contribution rate) to the interest rate on Federal obligations with a maturity of 20 years or more rather than 10 years or more. (Experience has indicated that by considering as the going Federal rate interest on obligations with the relatively short maturity of 10 years, changes in such rate result in many instances, not from a change in the cost of money to the Federal Government, but simply from the irrelevant factor of the particular maturity of the most recently issued Federal bonds.) Also, under this section, the governing rate is the one as of the date of Presidential approval of the contract for loan or annual contributions, rather than the date the contract happens to be signed by FPFA and the local public agency;

4. Adapt the statutory language with respect to FPFA's borrowing authorization to the changes in FPFA's lending program that would result from the provisions of this title, by relating the gross amount authorized (\$800,000,000, which amount is not increased by this bill) to the amount of obligations that may be outstanding rather than to the aggregate amount that the FPFA may issue exclusive of refunding obligations; and

5. Authorize FPFA to make development loans for capital improvements or additions to low-rent housing projects subsequent to original construction or acquisition.

#### REHABILITATION

Section 705: In order to conserve the existing housing supply and to assist in the use, when financially feasible, of existing buildings instead of new construction for low-rent housing, this section authorizes a program of Federal aid for the rehabilitation of existing dwellings located in neighborhoods where the spread of blight can be prevented or arrested. The maximum amount of loan and rate of annual contributions for a particular project under this program would necessarily be somewhat larger in amount than for new construction—that is, the maximum amount of Federal loan could be in an amount equal to the cost of the project and the maximum annual contribution rate could exceed the maximum rate authorized on new construction by 1 percent of development cost. On the other hand, such assistance would be limited to 30-year periods as compared with the 45-year periods authorized with respect to new construction. Also, where appropriate, the section authorizes assistance for the leasing and rehabilitation of existing dwellings as distinguished from their purchase and rehabilitation. No special loan or annual contributions authorization is provided for this program.

Section 706: In order to make adequate provision for the special problems present in the case of projects undertaken in the Territories, dependencies, or possessions of the United States, this section authorizes a higher rate of annual contribution in the case of land and utility projects; that is, projects consisting of the provision of adequate land space and sanitary facilities for existing dwellings. As in the case of the rehabilitation program, a rate higher by 1 percent of development cost is authorized.

#### ANNUAL CONTRIBUTIONS AUTHORIZATION FOR ADDITIONAL PROGRAM

Section 707: This section increases FPFA's annual contributions authorization. It authorizes additional contracts, which may be entered into upon enactment of this title, providing for annual contributions aggregating not more than \$22,000,000 a year, which limit would be increased by further amounts of \$22,000,000 at the beginning of each of the second, third, and fourth years following such enactment. The section also provides that the President may accelerate the avail-

ability of this authorization in the event it is necessary to meet acute shortages of housing for low-income families, including families of servicemen and veterans, or to stimulate employment and business activity.

In providing this additional authorization, however, the section limits the period over which the annual contributions may be paid to 45 years as contrasted with the present authorization of 60 years. Also, the section limits the use of this additional authorization to the provision of not more than 500,000 dwelling units involving new construction without further authorization from the Congress.

Section 708: This section provides technical amendments to the United States Housing Act of 1937 most of which are required as a result of the substantive amendments to that act provided in this bill. One provides a needed refinement of the existing provisions of that act relating to the equivalent elimination of substandard dwellings.

#### TITLE VIII—HOUSING ON FARMS AND IN RURAL AREAS

While assistance to families of low income in rural areas is authorized under the present provisions of the United States Housing Act of 1937, the special and different problems attaching to housing in such areas require special provisions for such housing. This title, in making these provisions, recognizes the intimate relationship between farm housing and the entire farm economy and so provides for assistance by the Department of Agriculture rather than by the Federal Public Housing Authority where only low-cost loans are necessary. Also, with respect to those instances where resort to FPFA's program of annual contributions is necessary, the title calls for very close relationship between that Authority and the Department of Agriculture. The title also recognizes that, in the case of farm housing, provision for ultimate ownership of the farm housing by the family assisted is to be facilitated wherever feasible, and that, in other respects also, such as the repayment of loan assistance, the provisions with respect to farm housing must be attuned to the farm economy.

Section 801: The National Housing Act in its present form authorizes FHA insurance with respect to farm housing only where there is involved construction or repairs calling for the expenditure of at least 15 percent of the mortgage proceeds for materials and labor. The purpose of this section is to extend the usefulness of this farm housing provision by eliminating the requirement with respect to construction and repairs and so permitting FHA insurance where only purchase is involved.

Section 802: This section authorizes the Secretary of Agriculture to make loans to farm owners in the United States, and in Alaska, Hawaii, and Puerto Rico, to provide decent farm dwellings for such owners, their tenants, share-croppers, or laborers. Such loans are explicitly limited to farm owners who cannot elsewhere receive the necessary credit on terms comparable to the terms provided in this title. They may be made for periods not in excess of 40 years, must bear interest at 3 percent per annum, and be repaid in installments. In recognition of the irregularities present in connection with the receipt of farm income, the section authorizes a system of variable loan repayment under which larger payments would be collected in periods of above-normal production or prices so as to permit the reduction of payments in periods of subnormal production or prices.

Section 803: This section authorizes loans by the Secretary of Agriculture to farm owners or groups of farm owners to provide adequate housing for seasonal agricultural workers. Such loans would be made under the same general terms and conditions as provided for the loans authorized in section 802, and must be capable of being repaid within the useful life of the housing. The

Secretary is authorized to require as a condition to loan assistance under this section that the availability of the housing provided with such assistance shall not be a justification for decreasing the prevailing wage to the occupants, and that, if the housing is rented, the rent shall not exceed an amount approved by the Secretary.

Section 804: This section provides that the Secretary of Agriculture is to obtain the funds to make loans under sections 802 and 803 from the Reconstruction Finance Corporation at an interest rate not to exceed 3 percent per annum and in such amounts as may be annually provided by appropriation.

Section 805: In order to facilitate the provision of decent farm dwellings, this section authorizes the Secretary of Agriculture to furnish without charge (or at appropriate charge) technical services such as building plans, specifications, construction supervision and inspection, and advice and information. The section authorizes the Secretary and the National Housing Agency to cooperate in research and technical studies in the rural-housing field and also authorizes the Secretary to utilize (through the Agricultural Extension Service) the facilities of State agencies and educational institutions in furnishing the services and information authorized by this section.

Section 806: This section simply provides the various administrative and related powers necessary in order that the Secretary of Agriculture may administer the program authorized in the preceding sections.

Section 807: This section requires that the Secretary of Agriculture give preference to veterans in administering the provisions of the title.

Section 808: The purpose of this section is to authorize assistance to rural families of low income comparable to that furnished to urban low-income families under the United States Housing Act of 1937, where such rural families cannot obtain decent housing within their means by loan assistance alone. The section calls for the enactment of an additional title, specifically relating to rural housing, to the United States Housing Act of 1937, consisting of eight sections numbered 201 through 208:

#### "Title II. Rural Housing"

The proposed section 201 authorizes and directs the FPFA, in cooperation with the Department of Agriculture, to develop and undertake a program to assist local public agencies in providing housing in rural areas for families of low income who could not otherwise obtain decent housing. The section provides that, before housing is constructed on a farm with assistance by FPFA, it must obtain certification from the Department of Agriculture: (1) that the family income is less than the amount necessary to enable it otherwise to obtain decent housing; (2) as to the normal earning capacity of the farm, which would indicate whether the farm owner can meet the payments required; and (3) that construction of a dwelling on the farm is consistent with the program of the Department. The section also provides that there shall, as far as practicable, be a system of variable lease payments so that credits may be established by higher payments by the farm owner whenever possible, to permit appropriate decreases in payments in years of below-normal production or prices. It provides also that, in this rural program, as in the urban low-rent housing program, preference be provided to families of servicemen and veterans.

In order to make the program available to families of low income in the case of farms included in reclamation projects of the Department of the Interior, the section also authorizes assistance in the case of such farms in cooperation with the Department of the Interior similar to the cooperation required with the Department of Agriculture.

The proposed section 202 is simply a technical one authorizing the Secretaries of Agriculture and Interior to utilize their employees and facilities to assist in the development of the program authorized under this title.

The proposed section 203 provides that assistance may be extended under this title for the provision of nonfarm housing (with sufficient land for home gardens) for rural families of low income, provided that the housing will be so located that sources of employment will be accessible to the families to be housed.

The proposed section 204 requires that the lessee of any farm house assisted under the title is to be given an option to purchase the house, and, that in exercising such option, he shall be entitled to credit for lease payments made by him or his predecessors which were applied toward amortizing the cost of the house. The section authorizes similar options, when appropriate, with respect to lessees of nonfarm houses in rural areas.

The proposed section 205 authorizes FPFA loan assistance to local public agencies to finance the provision of rural housing for families of low income. Such loans may not exceed the cost of the housing, must bear interest at a rate not less than the "going Federal rate" (the rate on the most recently issued Federal bonds at the date of Presidential approval of the loan contract with a maturity of 20 years or more), and be repaid within a period not exceeding 45 years. The section provides no additional loan funds for this program but simply makes available to FPFA for this purpose its general borrowing authorization under the United States Housing Act of 1937.

The proposed section 206 is the section that provides for the annual subsidy (annual contributions) necessary so that the local public agency assisted may be able to make the housing available within the means of low-income rural families. Such annual contributions must be strictly limited to the amounts and periods necessary. In no event may they be made for a period exceeding 45 years; nor may the contribution to be paid for any year exceed the difference between (1) the estimated annual costs to the local public agency with respect to the housing, and (2) the estimated receipts to the local public agency from the lease payments from the families housed, which payments are required by the section to at least be equal to the average of the annual principal payments which would be required to repay the cost of the house over its useful life. Such contributions, moreover, may be reduced or terminated when no longer needed, and in the event the local public agency has in any year an excess of receipts over expenditures, the amount of such excess must be used for purposes which will reduce subsequent annual contributions. The section further provides that appropriate increases shall be required in the lease payments in the event of increases in ability to pay.

A special annual contributions authorization for rural housing is proposed by this section, under which FPFA is authorized, upon enactment of the title, to enter into contracts for such contributions aggregating \$5,000,000 per annum, which limit is to be increased by further amounts of \$5,000,000 at the beginning of the second, third, fourth, and fifth years after the date of such enactment. The President is authorized to accelerate the availability of any part of this authorization in the event such acceleration is necessary to meet acute shortages of decent housing for families of low income in rural areas, including families of servicemen and veterans, or to stimulate employment or business activity.

The proposed section 207 defines rural areas for the purposes of the operations of the title and, in so doing, relates such defini-

tion to Bureau of the Census designations.

The proposed section 208 ties in this proposed new title II of the United States Housing Act of 1937 with the present provisions of that act, which are to become Title I.

Section 809: This section includes the technical amendments to the United States Housing Act of 1937 made necessary by the addition of this new rural-housing title.

#### TITLE IX—DISPOSITION OF PERMANENT WAR HOUSING AND OTHER FEDERALLY OWNED HOUSING WITH PREFERENCE TO SERVICEMEN AND VETERANS

This title is designed to bring up to date the legislation already enacted by the Congress with respect to the disposition of permanent war housing, and other Federally owned housing held by the Federal Public Housing Authority under the United States Housing Act of 1937. In so doing, it establishes the cardinal principle of preference to servicemen and veterans.

Section 901: This section sets forth the general proposition that permanent war housing, and other Federally owned housing held by FPFA under the United States Housing Act of 1937, shall be disposed of consistently with the postwar need and with preference to the families of servicemen and veterans.

Section 902: This section provides that, when the President finds that any permanent war housing provided with appropriated funds is no longer needed for war purposes, and the local governing body finds that it would be in the best interests of the community or of the families of local servicemen and veterans to make such housing available to families of low income, the National Housing Administrator may authorize the sale by FPFA of any such project to a local public agency for low-rent housing purposes. The proceeds from any such sale would be handled in the manner provided in the Lanham Act with respect to war housing, which sets forth the provisions relating to the time for covering balances into the Treasury as miscellaneous receipts.

Families of veterans and servicemen would have the same preference in admission to war housing projects sold under the provisions of this title as is provided in section 702 with respect to low-rent housing projects assisted by FPFA.

So that Federal projects sold under this title may serve the purposes intended, the price of the project may consist of the payment of all of the net income from the project during its useful life.

This section makes clear, however, that none of its provisions are to be construed to prevent the sale of permanent war housing at its fair value on a home ownership basis wherever feasible.

#### TITLE X—PERIODIC INVENTORY OF HOUSING NEEDS AND PROGRAMS

This title provides for a periodic inventory of the needs and programs in housing and related community development toward the end of bringing to the attention of the Congress the most effective action to achieve our national housing objectives and policy.

Section 1001: This section provides that such inventory shall be made by the National Housing Administrator, and shall be presented to the Congress not less than once a year, in a comprehensive report including: the most current estimates of our housing needs for all income groups and areas; the rates of employment and investment in housing and related community development, as compared with the rates required for the construction industry's part in full production and full employment; nationwide progress in meeting these needs and requirements; and recommendations as to any additional specific programs and action needed to carry out the national housing policy and achieve the national housing objectives.

Section 1002: This section provides that, in the preparation of the report and recommendations, the National Housing Administrator shall cooperate with and seek the advice of appropriate Federal and local officials and of representatives of the various groups interested in housing and community development as producers and consumers.

#### TITLE XI—MISCELLANEOUS PROVISIONS

This title simply contains two standard provisions generally contained in enabling legislation.

Section 1101: This section contains the standard provision providing that the provisions of this Act shall control in the case of inconsistency with other legislation.

Section 1102: This is the usual separability clause.

Mr. TAFT subsequently said: Mr. President, last July a subcommittee appointed by the senior Senator from Georgia [Mr. GEORGE] to consider the housing situation in the postwar era made a report, which is a matter of record in the Senate. At that time the senior Senator from New York [Mr. WAGNER] and the junior Senator from Louisiana [Mr. ELLENDER] introduced a bill which carried out some parts of the report, but not all, and in one or two respects, perhaps, was in some conflict with it. I stated at that time that I would endeavor to work with those Senators in order that I might join in a comprehensive housing bill to deal with the housing situation in somewhat closer line with the report submitted by the subcommittee.

Today the Senator from New York [Mr. WAGNER] has introduced the bill. He, the Senator from Louisiana [Mr. ELLENDER], and I, with a number of representatives of various bureaus, have been working steadily since our return, in an endeavor to redraft the bill and perfect it. I have joined with the Senator from New York today in introducing the bill. It is probably the most comprehensive housing measure ever proposed in this country, or perhaps any other country. It may be criticized for being somewhat too comprehensive, because it covers over 100 pages, and six or seven different phases of the housing problem.

The bill endeavors, in the first place, to implement the proposal of our report that we undertake to stimulate and encourage the construction of a million and a quarter homes a year during the next 10 years in order to fill up the lack of housing, and to replace that which is beyond repair.

Since that time the housing situation has become even more serious and of greater public importance. Veterans returning from abroad find that they are wholly unable to provide themselves with homes, or, in many cases, to obtain even rental quarters. The Housing Administrator estimates that by the time demobilization is completed there will be probably 3,000,000 more families in the United States than there are family units in which they may live, requiring a doubling up, which is certainly not conducive to the public welfare or the comfort of the people. So that it is important that a start be made as soon as possible on a comprehensive housing program.

Mr. Snyder has removed the restrictions on building materials, and I think the provision of building materials is



proceeding with reasonable speed, although in my opinion the policies of the Office of Price Administration are retarding the growth of the building-material business. I do not believe price controls on basic building materials should be removed, but I do think that the present policies should be more liberal in order to encourage the construction of homes.

We have to meet the veterans' problem, and it is impossible to meet it. There is a certain amount of temporary housing which can be moved to the points where the veterans wish to have it, but I think the total number of such units is well under 100,000, and, as I have already stated, there will be a shortage of some 3,000,000 homes. The only thing to do is to stimulate in every way possible the construction of homes and to bring them within the financial means of those who wish to obtain them.

This bill provides a general reorganization of the housing agencies under a single National Housing Administrator. That proposal is a controversial one, but the committee has done one of the reorganization jobs which it is now proposed shall be delegated to the President. I think that would be unnecessary, if other committees would work as this committee has worked. I think the bill provides a sensible, logical consolidation of the Government's housing program in such a way that it can be coordinated under one head, yet leaving very substantial autonomy to the FHA, to the Federal home-loan banks, and to all other public housing authorities, so that each one will be able to conduct its own affairs, but under the general coordinating control of the National Housing Administrator.

The problem of housing is fundamentally one of cost. The need for public housing and the difficulty of providing decent housing and getting rid of the slums arise largely from the fact that today the cost of housing is such that a large number of people, a very large proportion of the population, is unable to pay, within their income, the rent which must be paid for new housing units, or to buy the houses if they wish to buy them. The great problem is to get the costs down, and I hope the ingenuity of the American people and of industry will result in bringing that about. We have tried to stimulate it.

One of the new things in the bill is an extension of the FHA to provide a special class of houses. The FHA Administrator is to determine, in each locality, the cheapest house that can reasonably be built, maintaining proper standards. When he determines that, the bill provides a special class of FHA insurance. It is provided that the FHA may insure mortgages up to 95 percent of the appraised value of the property, but not exceeding \$5,000, running as long as 32 years, reducing the amortization charges, which are an important factor in rent, and that they may insure mortgages at not more than 4 percent, whereas today they usually do it at 4½ percent. The foreclosure provisions are somewhat easier; that is, the FHA insurance assumes some part of the burden of foreclosure, if that is necessary.

The bill also includes a firm commitment to builders up to 85 percent of the total cost of the house. So there will be an incentive to builders to construct the cheapest type of house, instead of building the \$10,000 or \$12,000 house, which is somewhat easier to sell, and on which there is a larger profit per unit.

Mr. VANDENBERG. Mr. President—

The PRESIDING OFFICER (Mr. CARVILLE in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. TAFT. I yield.

Mr. VANDENBERG. Is there a \$5,000-a-house valuation limit at some point in the bill?

Mr. TAFT. The provision is that the special terms to which I have referred apply only to houses involving a mortgage loan of \$5,000 or less. This would set the maximum cost of the house at \$5,300. Of course, the ordinary FHA insurance covers houses costing \$6,000, up to a 90 percent mortgage, and beyond that, over \$6,000, up to an 80 percent mortgage. That seems to be adequate. We are trying here to write a special provision for the cheapest possible type of house, so as to give an incentive to private industry to build such houses, and to develop the art of building houses within the means of many millions of people.

Mr. VANDENBERG. I received a message this morning from the Governor of Michigan, who, speaking for himself and for the Michigan Planning Commission and the Michigan Housing Commission, asked the question whether the \$5,000 limit may not be raised to \$7,500, because in their opinion the purpose to be achieved by the bill which the able Senator defines cannot be adequately reached in our area except at the \$7,500 ceiling. What would the Senator's comment be on that suggestion?

Mr. TAFT. I would wholly disagree with the Governor of Michigan. A \$7,500 house can be built under the FHA perfectly well. It can be built with a mortgage of about 85 percent, which the FHA will insure. That should take care of any ordinary house of the \$7,500 class.

The purpose is to develop cheap houses which people can rent and pay for. I suppose that today the incomes of 40 percent of the people of this country are such as to make it impossible for them to buy \$7,500 houses. Such houses are beyond their means. They would have to pay for a \$7,500 house an annual rental of approximately \$750, which means that they would have to have incomes of about five times that amount, or at least \$3,500 a year. So that the desire to build \$7,500 houses is with the view of serving people with incomes of \$3,500 a year. That is not the problem in this country. The problem is to build houses for people who have incomes of \$2,000 or even \$1,500. The terms we propose are probably not entirely sound. The Government is taking a greater chance, perhaps, than a straight insurance proposition, what the normal FHA character of contract would ordinarily provide. But we feel that it is important to develop this cheapest type of housing. The man

with a \$1,200-a-year income probably cannot be provided for except under public housing. We feel it is important to develop a type of housing which individuals in the \$1,500- to \$2,500-a-year class can buy.

So I should say that so far as this very special provision is concerned, this special inducement to builders to reach down into the low-cost housing is concerned, it should be limited to \$5,000. In fact, we have provided that the FHA Administrator may make it lower in lower-cost places. For instance, Detroit is a high-cost place and the \$5,000 limit would apply, but in Texas it may well be possible to build \$3,500 or \$4,000 houses, under which circumstances the Administrator is given power to say that he will apply the special provision in Texas only for \$3,500 or \$4,000 houses.

Mr. President, the bill contains also a general provision for the FHA insurance of mortgages to mutual associations where a large number of people set up a special project and undertake a mutual ownership of it. That also is new in this particular bill as against the other bill.

We have continued in the bill the yield insurance on rental housing.

We have also made some other provisions which ought to make it somewhat easier for people who wish to invest in rental housing to proceed to invest in that type of housing. Personally, I think that residential housing is an excellent investment for institutions and many others if it is properly guarded, if it is properly protected, and if proper costs are allowed for repairs for upkeep.

We have continued the urban redevelopment section and rewritten it, providing Federal assistance to any city which undertakes to accumulate land in slum areas and makes plans for the disposition of such land, not only for public housing but for private housing and for other purposes.

We have continued in effect the public housing provision which was in the original bill, which contemplates a public-housing program of 125,000 units a year for a period of 4 years. That is a direct subsidy.

I have heretofore explained why I think that under all the circumstances of the case some public-housing program is necessary; why I think it is the best method, and perhaps the only method, of reaching the very lowest income group in this country, and I think I have explained why I feel that we have an interest in seeing that there is provided for every family in this country at least a minimum shelter, of a decent character, which will enable the American family to develop.

Finally, I think we have provided that the existing permanent war housing may be transferred to a community at its request, or to local agencies within a community for additional low-cost housing.

Mr. President, I was very glad to be able to join in the bill with the Senator from New York and the Senator from Louisiana. In a bill of this length there are bound to be many details with which I do not agree, and some to which the

other two Senators do not agree. We propose to hold extensive hearings, as a result of which the bill may be modified; in fact I hope it will be, because I am sure that improvements can still be made in the program.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. SALTONSTALL. I should like to ask the Senator from Ohio a question. In the Committee on the District of Columbia there is pending a bill (S. 1152), which has been referred to me for drafting. That bill, in substance, makes it possible for a veteran who is a minor to borrow in the District and also makes it possible for building and loan associations to loan on housing. My question is: If the National Housing Act should be enacted, would supplementary legislation in the District and in the States be necessary, if in the District of Columbia and the States it was desired to go beyond the terms of the National Housing Act and make it easier for a veteran to borrow?

Mr. TAFT. That question has several different points. So far as public housing is concerned, the Federal Government undertakes no public housing. If any State wants public housing the initiative is with the State. It must pass the law. It must ask for the housing. So the District of Columbia, like a State, requires public housing legislation. The legislation may be different in any State. So far as loans to veterans are concerned, that is covered in the GI bill of rights, and under the general FHA law, and it requires no local legislation.

So far as building and loan associations are concerned, this general bill deals with the authority of Federal building and loan associations to make various loans on housing, liberalizing the present provisions of law so they may easily participate in this housing program. I think probably separate legislation is needed which deals directly with the authority of the District of Columbia building and loan associations. So that should be supplemental.

So far as the rights of GI's who are under 21 are concerned, I would suppose that was also a matter of the local law and would require local legislation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MORSE. I regret I was necessarily absent and did not hear the speech made by the Senator from New York [Mr. WAGNER], nor have I heard the Senator from Ohio [Mr. TAFT] at any length, but as one who is vitally interested in the veterans' housing problem, including that phase of it which relates to educational institutions, may I make inquiry as to whether the bill under discussion incorporates the bill of the Senators from Oregon, S. 977, which was before the Senate for discussion the other afternoon in connection with the GI bill? I understood at that time that the Senator from Colorado [Mr. JOHNSON] said he would have no objection to S. 977 being transferred to the Committee on Banking and Currency if title III were stricken from the bill. The Senators from Oregon

gave assurance that title III would be stricken, in view of the provisions of the new GI bill as to increased cash allowances for rentals. However, I think it would be a great mistake to proceed to vote on any housing bill unless it encompasses also some relief to the veteran in need of housing at our institutions of higher learning.

My inquiry is whether the bill the Senator is discussing seeks to do anything about the housing problems at the universities?

Mr. TAFT. Not so far as I know. Of course, the Senator understands that, so far as the temporary housing is concerned, that is dealt with, I believe, in the present appropriation bill which is now under consideration in the Appropriations Committee making available the money to enable all the temporary housing to be transferred.

Insofar as the construction of housing at universities is concerned, I see no reason why it cannot be done under the general provisions of this particular bill. I went into that in connection with Yale University. I see no reason why under the FHA mortgage plan it is not possible for universities to build dormitories with FHA mortgages and receive all the benefits of the FHA provisions.

We have in the bill a provision as to public housing that there should be a priority for veterans. There is no such provision, I think, on FHA. But I do not think they would have any difficulty. However, I may say that there is no reason why the Senators' bill should not be considered at the hearings. Hearings are going to begin, I think, this week or perhaps next week. I think it will be very easy to deal with the veterans' situation at universities in this bill or in a separate bill, if the Senator desires.

Mr. MORSE. I thank the Senator from Ohio very much.

I should like to say, so long as the Senator from Colorado [Mr. JOHNSON] is on the floor, that I certainly hope the Finance Committee will transfer, without further delay, S. 977 to the Committee on Banking and Currency. I understand that that meets not only with the approval of the Senator from Colorado but also with the approval of the Senator from Georgia [Mr. GEORGE], the chairman of the committee. I would prefer to have it done that way rather than to submit a motion to discharge the committee because I think that S. 977, in view of the position taken by the Finance Committee on the new GI bill, ought to be transferred without further delay to the Committee on Banking and Currency, where it can be considered with all of the other housing bills.

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Andrews	Bridges	Chavez
Austin	Buck	Connally
Bail	Bushfield	Cordon
Barkley	Byrd	Donnell
Billbo	Capper	Downey
Brewster	Carville	Eastland

Ellender	Lucas	Saltonstall
Ferguson	McClellan	Shipstead
Fulbright	McKellar	Smith
Green	McMahon	Stewart
Guffey	Magnuson	Taft
Gurney	Mead	Thomas, Okla.
Hart	Millikin	Tunnell
Hatch	Mitchell	Tydings
Hawkes	Moore	Vandenberg
Hayden	Morse	Wagner
Hickenlooper	Murdock	Walsh
Hill	Myers	Wheeler
Hoey	O'Daniel	Wherry
Huffman	O'Mahoney	Wiley
Johnson, Colo.	Overton	Wilson
Kilgore	Radcliffe	Young
Knowland	Reed	
La Follette	Russell	

The PRESIDING OFFICER. Seventy Senators have answered to their names. A quorum is present.

Mr. HILL. Mr. President, I wish to express my gratification over the fact that the Senator from Ohio [Mr. TAFT], acting for the Postwar Committee, has agreed with representatives of the Committee on Education and Labor and the Committee on Banking and Currency on a revised housing bill which has been introduced today by the Senator from New York [Mr. WAGNER], on behalf of himself, the Senator from Louisiana [Mr. ELLENDER], and the Senator from Ohio [Mr. TAFT].

I express my particular appreciation to the distinguished Senators who have worked on the bill. I know they have given great effort and much labor to it. I have not read all the details of the bill, but I know it provides a most comprehensive program for housing throughout the United States, a program which is very badly needed at this time.

Today in the great city of Birmingham, Ala., there is a fearful shortage of housing. Veterans returning from the battlefields are unable to find any kind of decent house or place in which to live and to which to bring their families to live. Not only will the bill meet the compelling need for additional homes, but it also will provide much employment.

I know with what earnestness the Senator from New York [Mr. WAGNER], the Senator from Louisiana [Mr. ELLENDER], the Senator from Ohio [Mr. TAFT], and the Senator from Wisconsin [Mr. LA FOLLETTE] have worked on the bill. I am delighted, and I congratulate those Senators and the committees concerned.

#### BRITISH TRADE RESTRICTIONS

Mr. HICKENLOOPER. Mr. President, I desire to present for the RECORD a letter received by the Cedar Rapids Engineering Co., of Cedar Rapids, Iowa, from the Engineering & Manufacturing Co., Ltd., of Tel-Aviv, Palestine. Prior to the World War, the Cedar Rapids Engineering Co. had a world-wide business in engineering machinery. Previously I have placed in the RECORD a letter which I received from it, indicating its inability to sell to former customers who reside in British possessions, because of the fact that such firms are now required to purchase from British sources.

I ask that the letter from the Engineering & Manufacturing Co., Ltd., which apparently is a firm of engineering machinery brokers, be printed at this point in the RECORD.



There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ENGINEERING & MANUFACTURING Co., LTD.,  
Tel-Aviv, October 2, 1945.  
CEDAR RAPIDS ENGINEERING Co.,  
Cedar Rapids, Iowa.

DEAR SIRS: We wish to acknowledge receipt of your circular letter of September 18, informing us that export restrictions on your equipment to this country have been relaxed. Unfortunately the restrictions at our end have not been lifted and in fact at the moment although we have a considerable number of applications for your goods outstanding with the Palestine Government, none have been passed owing to the fact that the Government says that they are short of dollars and that we should order from suppliers in Great Britain.

We have endeavored to obtain the assistance of the American Consulate, but we understand that they are not able to do anything. It is presumed that after the negotiations between the representatives of the British and American Governments have been concluded, the position may change. However, this is not yet known.

Yours faithfully,

ENGINEERING & MANUFACTURING Co., LTD.

#### AMERICAN FOREIGN POLICY AND THE SITUATION IN GERMANY

Mr. HICKENLOOPER. Mr. President, a few days ago I received, from Germany, a letter from a major who is a veteran of the last war. Today he is serving with the occupation forces in Germany. He is a man of very substantial discernment and of a very substantial position in my State. His observations are worthy of note because of the balance of his judgment and because he did not go into the Army with any attitude other than that of service to his country. In reading his letter I shall omit the salutation and the address, as well as several other references to his locality, because I should prefer not to identify him. I shall also omit certain words which might be denominated as strong language, and I shall designate them only as "blank." The substance of his letter is as follows:

I am one of about seven that are being left behind at HQ ——. The rest are going to ——— Berlin. I am trying to dodge that. Until the 15th we will continue to have our offices here ——— then move over to the IG Farben building at Frankfurt. When I see these undamaged places—almost always owned by Farben or some other big company—I think of a statement of Arthur Kipgen, vice president of the Esch Steel Co., in Luxemburg. I asked how it happened that their plants were not damaged though they were turning out steel for the Germans. He merely stated that Mr. ——— was a good friend of his.

Because this is a statement of rumor, I shall not mention the name of the official which is set out in the letter, in view of the lack of proof.

The letter continues as follows:

Just what is our plan for the occupation of Germany, and toward Germany? I certainly got no inkling of it from Truman's 12 points. Our denazification policy is quite likely to make martyrs of these ———, and about all that we are doing is to put some of the Nazi principles into reverse, with other men in the drivers' seats. That may be a sort of justice, but it is not lessening the probability of the next war. Besides, I do

not think that we fight wars to try to bring about individual justice. (I sure ——— did not come into this ——— thing because of any of the bunk ——— thought up.)

Why in the name of heaven can't we work out our definite foreign policy? I know that it is difficult, but back of our actions there should be a purpose. If the Nation does not have a national foreign policy, then our commercial interests will adopt one for us, without our knowing the terms. We just came through such a situation, and I think that Berg's book shows what part of it was.

If we are going to establish, extend, and develop our markets in other parts of the world as a national policy, then we should adopt a national policy to keep us out of trouble, or else get us into it. Those persons, businesses, and so forth, engaging in that development should do so with the definite understanding that we either are, or are not, going to use any national or governmental influence or pressure. We should have a policy under which loans are to be made both to countries in which such markets are to be developed, and as to such loans generally. It seems to me that the business of making Government loans to foreign nations and to businesses engaged in foreign activities is something that should receive some consideration and action. Should we not have some very definite policy in regard to such? But perhaps we do have and I just do not know what it is.

It is one thing to have a positive foreign policy and quite another one to have a negative one.

I just read Truman's 12 points the other night. Seems to me that the "donkey" is slipping a little. Wilson had 14 points. Someone must have just prepared that junk for the next campaign. But seriously, No. 1 seems silly. Why shouldn't we take what we need in the Pacific where we paid for it with blood? Why should we not maintain the advantage we have so dearly bought? If we do not keep it someone else will pick it up. No. 2 is either a slap at Russia, a warning of trouble ahead, or else we will have to back down right at the start—or engage in some international insincerity. As to No. 3—how are we to know that the changes are in accord with the wishes of the people—how about Estonia. These DP's who fled to German slavery rather than be taken to Siberia—rather than live under the Russian system—would not certainly agree that the change was in accordance with the wishes of the Estonian people. No. 4 sounds nice, but just what yardstick is to be used to determine when a people is prepared for self-government, and who is to be the judge?

While No. 5 may look good from our point of view, just why should we insist upon governments being democratic? Why cannot they choose the kind or type they want? While it is possibly true that a democratic nation is less likely to engage in aggression, how does this statement square with our leaving Hirohito in the saddle? How, too, are we to expect Russia to help in setting up a truly democratic form of government? Perhaps they have changed the definition of democratic government, but to me it is not possible to have what we think of as democratic government without individual rights of ownership of property.

What No. 8 means I have no idea—assuming that it means anything at all.

No. 9 seems to be a 1945 revision of the Monroe Doctrine. Possibly it was meant as a warning to Russia, but if so it was ill-advised, the timing was bad, and the taste that it has left is far from good. The ultimate reaction to that will probably be for Russia to say, "Well and good. We will say the same thing about Eurasia," or at least a large part of it.

No. 10. I seem to be a little hazy as to just what "economic collaboration" is, but

if it has anything to do with at least a reasonably friendly exchange of economic goods and services, then we are not even practising it over here in Germany where several countries are just running their little empires in their own ways with almost no exchange of economic goods.

It may be that the whole 12 points were intended as a unit—and the hub of the thing was No. 12. But if so then we had best get down to some limitation and definition of this or we will remain where we are. I do not as yet feel ready to adopt the British idea of keeping garrisons all over the world, yet it seems that we are headed in that direction rather than in the direction of any international police force, in the conception we have generally had of that term. Perhaps it is just better to have us as the ward policemen in certain areas and England in others.

I have been interested in watching UNRRA. It is a marvel of disorganization. The teams that came in early and worked in the DP camps did a good job. They deserve credit. They were largely British, Dutch, and French. Now that a lot of the work has been done there seems to be a lot of confusion and not so much work being done. I really believe they are as snafu as ECAD. They do not know how many teams they have or where they are. I live in the same house with the two head men of the public-health work. One is loaned from our Army.

My own work has been to get lands—

And so forth. Here I omit reading a statement because of identification—

and other lands controlled by the Army, and which are not needed by us for any purpose, back in production. Another part of my work has been to see how the land settlement and land consolidation agencies are functioning and what the set-up is in each part of the American zone.

I found that one of the extreme cases was in the Wiesbaden area where one owner held title to approximately 300 separate tracts which when consolidated into three fields of equivalent total area gave him the three fields together, the largest of them being about 20 acres.

They do this work on a Gemeinde basis, somewhat equivalent to a Township, and the process is very much desired by the owners. They find that it increases production from 20 to 30 percent. The cost formerly was paid largely by the German Government, but now it is set up so that the farmers themselves pay the cost. This is handled by an organization which is known in some parts of the country as "Feldbereinigung," and in other parts as the "Bauern Kultur Amt."

The other agency that I have been studying some is the land settlement agency "Bauern Siedlung." It is the same all over Germany and they have first option to buy up any land offered for sale. They then combine small tracts and sell them out to able operators. It is really quite a set-up. I have rather full details of these offices in most of the parts of the zone.

One thing that is rather interesting is that the demand over here is more for consolidation of land than for the splitting up of it. Of course most of the large estates were in the eastern part of Germany. There were some more in the area now held by the Russians between Hannover and the Elbe. The chief objective seems to be to get at least fields of 2 to 3 acres in size.

It is probably most fortunate for Germany that they are largely in the oxen stage of farming, as the ox or cow can serve for two or possibly eventually three purposes.

I wish you had time to come over here and have time to get out and see not only the extent of damage that has been done to German economy, but also the conditions that will exist by the time a few months roll

around. It is not that I am sorry for them. I am just ashamed that we are doing and permitting some of the things we are doing and permitting.

Had been hoping to be home by Xmas, but that hope seems to be slipping. At least I am all of the time, every time they send around a card, saying that I want out now. So far I do not seem to have received favorable consideration for that purpose.

Just heard that they are contemplating the building of a lot of army barracks here to house our troops. Why we should do that is beyond me unless they think they should replace those we destroyed in order that Germany may not be inconvenienced if she wants to train for WW III. If the DP's are disposed of there will be plenty of Kasernen. Something should be done for the poor Baltics. There are a lot of well educated, English speaking, talented Baltics that we could well take in our country rather than a lot of others that have gone there in the past few years.

I shall not read the last two paragraphs of the letter because they are personal in nature.

Most sincerely yours.

I have read the letter, Mr. President, because of my personal acquaintance with the writer and because he is a skilled observer and a man of high integrity. By his letter it is evident that he is a man whose experiences up until the present time have caused him to become very caustic indeed about many of the policies which he sees being pursued in our occupation of Germany.

#### REORGANIZATION OF GOVERNMENT AGENCIES

The Senate resumed the consideration of the bill (S. 1120) to provide for the reorganization of Government agencies, and for other purposes.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DONNELL. What is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from Virginia [Mr. BYRD], proposed as a substitute for the amendment of the Senator from Missouri [Mr. DONNELL], as modified, inserting certain language in lieu of section 4 (a).

Mr. DONNELL. Mr. President, as indicated by the announcement of the Chair, the junior Senator from Virginia [Mr. BYRD] has offered a substitute for the amendment I have offered to section 4 (a) of Senate bill 1120, a measure providing for the reorganization of Government agencies, and for other purposes.

I rise to oppose the substitute which the Senator from Virginia has offered. I am deeply conscious of the importance of the subject matter the consideration of which we are to resume this afternoon. I am conscious, first, of the importance of the reorganization of the agencies of the National Government. I read with interest and with full concurrence the statement in the report of the Committee on the Judiciary that—

A reorganization of the executive branch is more imperative today than ever if we are to put this vast structure on a modern and workable basis and effect economy, efficiency, and simplification in its administration.

Mr. President, I also realize that far beyond the importance of this particular measure and far beyond the importance of the question of the reorganization of the agencies of the National Government is the importance of the fundamental principles which are involved in this discussion, principles which go to the very foundation of the theory of government on which the United States of America exists today. I note that in the case of Panama Refining Co. against Ryan, which has previously been referred to by the distinguished Senator from Utah, who already has so courteously and efficiently discussed the various phases of this bill, the Supreme Court of the United States, speaking through the tongue of one of the great jurists of our Nation, former Chief Justice Hughes, then said regarding the question before the court:

The question is not of the intrinsic importance of the particular statute before us, but of the constitutional processes of legislation which are an essential part of our system of government.

Today, Mr. President, in this discussion in the Senate of the United States we are confronted with a bill which is intrinsically important because of its subject matter, namely, the reorganization of the agencies of the National Government. I adopt the language of the Supreme Court which I have recited when I say that the pending measure, together with the amendments which have been proposed to it, refers to "constitutional processes of legislation which are an essential part of our system of government."

This afternoon I shall discuss the amendment offered by the Senator from Virginia. In connection with it I shall discuss the bill itself, insofar as it relates to the portion covered by the amendment of the Senator from Virginia. In connection with both of them, I shall discuss the amendment I have offered, for the three must be considered together in order to determine the proper course of procedure to be adopted by the Senate regarding what I believe to be an exceedingly important and momentous question.

I digress to pay a word of tribute to the Senator from Virginia, who not only has served his own State as its chief executive with distinction and honor to himself, and satisfaction to the people of his State, but who likewise, by his singular and outstanding devotion to matters affecting the reorganization, the efficiency and the economy of our government, has become known from one end of the Nation to the other. Consequently, it is with some feeling of trepidation that I undertake to oppose the views which are expressed by so able, so distinguished, and so outstanding a member of the Senate as the distinguished junior Senator from the State of Virginia. Yet, Mr. President, to my mind the issues here are so clear and so unmistakable that there devolves upon someone the duty of stating them, analyzing them, and presenting the point of view which I shall present this afternoon.

Both my amendment and the Byrd substitute relate to section 4 (a) of the committee amendment, which is now

pending before the Senate. Therefore, let us examine the substance of section 4 (a) of the committee amendment, let us examine my amendment, and let us examine the Byrd substitute for my amendment.

Section 4 (a) of the committee amendment follows a section which provides when the President shall prepare a reorganization plan. It further provides that he shall transmit such plan to the Congress of the United States. I am speaking now of section 4 (a) in the committee amendment itself, the measure to which both the amendment of the Senator from Virginia and the amendment which I have submitted apply. Section 4 (a) of the committee amendment then provides, in substance, that the reorganization specified in the plan which the President submits to the Congress shall take effect unless either House of Congress adopts a resolution stating that it does not favor the plan. Mr. President, that is the section of the committee amendment to which both the amendment offered by the Senator from Virginia and the amendment I have offered are opposed. The amendment which I have submitted provides—and I quote from my own amendment in advance of that of the distinguished Senator from Virginia because of the fact that his is offered as a substitute for mine, and in the logical sequence, therefore, mine should first be brought to the attention of the Senate:

No such reorganization plan submitted by the President to the Congress of the United States shall take effect until there shall have been enacted a joint resolution approving the plan.

That means that both Houses of Congress shall first affirmatively approve the plan; and then, under my amendment, the President, after the approval of Congress has been given, shall sign the joint resolution before the plan shall take effect.

So, Mr. President, up to this point we have the committee amendment—the bill itself—to which these amendments apply, and which provides that the reorganization specified in the President's plan shall take effect unless either House of Congress adopts a resolution that such House does not favor the plan; and then we have the contrary amendment, the one which I have submitted, providing that no such plan shall take effect until there shall have been enacted a joint resolution which will require the action of both Houses of Congress and the signature of the President approving the plan.

We have before us also the Byrd substitute which provides, in substance, that the reorganization plan submitted by the President shall take effect unless both Houses of Congress adopt a concurrent resolution that Congress does not favor the reorganization.

So there have been presented three proposals, namely, the committee amendment itself which provides, as I have indicated, that after the time specified in the amendment has expired, the plan shall take effect if in the meantime Congress has done nothing; the amendment submitted by me, which provides that after the plan comes before the Congress it shall not take effect until there



has been enacted a joint resolution approving the plan; and the Byrd substitute which provides that the reorganization plan shall become operative or effective unless both Houses of Congress shall adopt a concurrent resolution that Congress does not favor the reorganization.

The Senator from Virginia has frankly stated that he has changed his position since 1939 when there was enacted a statute with respect to reorganization. Mr. President, I am not criticising the distinguished Senator from Virginia, because he has a perfect right to change his views. When a man frankly, honestly, and courageously stands on the floor of the Senate and announces without equivocation his change in view, I undertake to say that no one is justified in attacking him solely because of his change of opinion. I do assert, however, Mr. President, that at this time when an issue of such significance is before us, one which goes to the very foundation of our Government and of our Nation, we are entitled to examine with care the reasons which now animate the Senator from Virginia, and the reasons upon which he based his judgment, contrary to that of today, back in 1939.

Last Friday the Senator From Virginia spoke as follows:

I wish to state at the opening of my remarks that I have changed my position on this question, and I wish to give my reasons for doing so. When the last reorganization bill was before the Congress in 1939 I voted for an amendment offered by the Senator from Montana [Mr. WHEELER] which was similar to the amendment offered by the Senator from Missouri [Mr. DONNELL], providing that no reorganization plan could be made effective as recommended by the President unless affirmative action were first taken by both branches of Congress.

I may add, Mr. President, that in 1939 the Senator from Virginia showed the sincerity of the position which he then took by voting not only once but twice for the Wheeler amendment, first upon the original consideration of the amendment, and again upon its reconsideration.

On Friday last the Senator from Virginia proceeded with regard to his reasons for changing his position since 1939, as follows:

My reasons for changing my position on this question are these: Present conditions are vastly different from those existing in 1939. Today there are nearly four times as many Federal employees as there were in 1939.

He continued as follows:

I believe there are nearly four times as many bureaus, departments, and agencies of the Government as there were in 1939.

He then said:

I am convinced, after 12 years of study of the subject of reorganization, that the only way to get a worth-while honest-to-goodness reorganization is to abolish bureaus and agencies of the Government and reduce the number of personnel wherever possible, rather than to shift one bureau to another.

Continuing, the Senator from Virginia said:

I think the only way to accomplish that is to give the President the power to do it,

after exempting the quasi judicial agencies of the Government.

In continuing, the Senator said:

Give him—

That is, the President—

the power to reorganize the executive branches of the Government, subject, of course, to the right of Congress to reject any plan by concurrent resolution adopted by both branches.

I pause, Mr. President, to invite attention to the fact that although the distinguished Senator from Virginia refers to a period of 12 years of study on his part of the subject of reorganization, when the bill of 1939 was before the Senate he had already devoted 6 years of study to the same problem. His conclusion as expressed to the Senate at that time was diametrically opposite to that which he expresses today.

It will be observed with what emphasis the Senator from Virginia referred to the changed conditions as expressed in his remarks last Friday. It is of interest to note also that in those remarks he further emphasized a change in conditions, as follows:

Not only—

Said the Senator from Virginia—

has the position of the Senator from Virginia changed but conditions have changed. We have a far more difficult question of reorganization now than we had in 1939. We have four times as many employees now as we had then, and we now have seven or eight times as many bureaus as we had in 1939.

The Senator from Virginia further stated that the Federal Government has in this country 3,000,000 employees, each of whom, in the opinion of the Senator from Virginia, can control two or three votes.

Continuing, the Senator said:

So we have a vast voting army of seven or eight or nine million votes which can be cast one way or the other to protect existing jobs.

The Senator stated further as follows:

The Government bureaus have enormous power. They have the power of political life and death over Members of the House and Senate. They can deny a Member of Congress things in his district and defeat him and do the same thing in case of a Senator. They cannot do that with the President of the United States.

I pause in order to comment upon the fact that if it be true—and from the Senator's statement I have no doubt it is—that the Federal Government has 3,000,000 employees located in this country, and if it also be true that they constitute a vast voting army with seven or eight or nine million votes which can be cast one way or the other to protect existing jobs, there is no reason why those votes could not, in certain circumstances, all be cast against the President of the United States as well as against the Members of Congress. It is true, of course, that there may be instances in which the votes would be cast only against the Members of Congress and not against the President of the United States; but with a vast voting army of eight or nine million votes, I undertake to say that it is not entirely accurate to state, as did

the Senator from Virginia last Friday, that these bureaus cannot defeat the President of the United States just as they can defeat the Members of Congress.

The Senator from Virginia stated further as follows:

It is a realistic question that confronts us.

Mr. President, I conclude my analysis of the reasons stated in the Senator's own language, with the very significant interrogation made by the distinguished Senator who sat for a while in the chair as the Presiding Officer of the Senate, the senior Senator from Delaware [Mr. TUNNELL]. He interrogated the Senator from Virginia as follows:

As I understand the Senator from Virginia, what he is asking for has a greater chance of success.

To this observation the Senator from Virginia replied:

I am advocating it for that reason. I think that is the only way to obtain an effective reorganization of the Government.

I have quoted rather extensively from the remarks made by the Senator from Virginia last Friday. I believe I have given to the Senate a substantially correct synopsis of the mental processes as stated by the Senator himself on the floor of the Senate which caused him to change his position diametrically this year from what it was 6 years ago. From the remarks made by the Senator from Virginia and quoted today, it is obvious that in changing his position from what it was in 1939 he was moved first by his belief in the great need for a reorganization, a belief, Mr. President, which I share with him, and without the benefit of the vast fund of knowledge which he possesses. I take it upon the very facts he has given us, and the facts which from current knowledge we all know of, that there is great need for reorganization. He is moved by that belief.

In the second place, he is moved by his view that the vast increase in the number of Federal employees since 1939 has caused an important change in conditions. Then he is moved by his belief that if under present conditions there be left to Congress the responsibility of providing for reorganization by legislation, reorganization will not occur. Indeed, the Senator from Virginia indicates a feeling of desperation as a major contributing cause toward his change of position. Said he on last Friday:

I have changed my position. I may be called inconsistent; but I am doing it in the desperate hope that there may be some way to accomplish a reorganization of the Government, the vast bureaucracy of which, I think, imperils the very foundations of our democracy.

Added to these remarks of the distinguished Senator is his belief, as indicated in his statement, that President Truman desires to effect a reorganization of the Government, and it is the view of the Senator that President Truman is far more economy-minded than was the late President Roosevelt, and is far more desirous of economizing and bringing about efficiency in the administration of the Government that was the late President

Roosevelt. So the Senator from Virginia concludes—and I quote his language of Friday last—

The only way to reorganize the Government is to give the power of reorganization to the President and then depend upon him to accomplish it, and hold him to a strict accountability.

I digress for the moment to point out that the Senator does not explain how, under either the committee amendment or the Byrd substitute. The President would be held to the strict accountability to which he refers.

In 1939 there was enacted a reorganization bill which, as the Senator from Virginia said last Friday, required the passage of a concurrent resolution of rejection in order to make inoperative any plan which the President might submit. The Senator correctly says that his substitute amendment of the present time is practically identical with the 1939 bill.

The Senator from Virginia opposed the 1939 bill, which is the same as his pending amendment. In 1939 the Senate bill which was proposed, and the Wheeler amendment which was proposed, were the same, in effect, as the amendment which I have offered to Senate bill 1120, and the Senator from Virginia favored the Senate bill in 1939 and the Wheeler amendment that year. His position in 1939 was, as I understand from the report which he himself submitted to this body from the Special Committee to Investigate the Executive Agencies of the Government, based on what he considered underlying and fundamental principles.

I call attention to the fact this afternoon that the Senator from Virginia does not now base his present change of position on the ground that the principles which in 1939 he supported and regarded as fundamental were wrong. He makes no contention to that effect. He is basing his change of position mainly, if not entirely, on the fact that by the adoption of his substitute, thereby leaving the matter to the President with only a negative power of disapproval retained by Congress, there is a greater probability of obtaining reorganization than if my amendment were adopted.

At no point in the Senator's argument does he assert or imply, even remotely, that the principles upon which he acted in 1939 and which are the principles on which my amendment is based are unsound.

Mr. President, let me quote one of the principles upon which was based the report presented by the Senator from Virginia in 1939 in opposition to the plan which he now advocates, and in advocacy of the plan which my amendment advocates. He said:

The Senate committee submits that as a fundamental principle of government, Congress should retain the right of direct and affirmative vote upon changes of functions or policies of government and other vast potential powers which may in effect be exercised by the Executive under this proposed legislation.

This retention of the right of direct and affirmative vote is what the amendment which I have offered provides and makes obligatory and is what the Byrd

substitute now offered to the Senate omits.

Let me read further what the Senator reported to the Senate in 1939 with respect to the House bill, which is the plan which his substitute amendment now prescribes. I call attention to page 4 of the report which he presented. This is the report presented by the distinguished Senator from Virginia on behalf of the Special Committee to Investigate the Executive Agencies of Government, which was ordered to be printed on March 6, 1939. I read:

The House bill provides a negative, unorthodox, and unprecedented procedure with drastic regulation of debate. Under the terms of the House bill, a reorganization plan submitted by the President becomes operative if Congress does not act.

That is exactly what happens under the substitute which he now presents and urges the Senate to adopt.

Let me read further what the Senator from Virginia said in 1939 in opposition to the proposal which he now advocates in his substitute amendment, report No. 142, page 4:

Attention is further called to the fact that under the House bill authority is given the President to recommend changes, amendments, alterations, or abolition of governmental functions as well as the administrative machinery necessary for performance of such functions.

I ask Senators to listen closely to the next sentence of the report presented by the Senator from Virginia in 1939. It reads:

Under the House proposal, these recommendations might become effective without as much as a vote in Congress.

That is the situation, Mr. President, with respect to the amendment which he now offers and with respect to the committee amendment. It is not, however, the situation which would apply under the amendment offered by the Senator from Montana [Mr. WHEELER] in 1939 or under the amendment which I have offered in 1945.

Then I call attention to the further language of the report presented by the Senator from Virginia in 1939, page 4:

Functions of government are the policies of government adopted by the Congress. Without making an issue as to the propriety of abolition or amendment of functions of government in this manner, it is obvious—

Continues the report presented in 1939 by the Senator from Virginia—

It is obvious that the importance of such a delegation of authority to the President is so important that Congress should at least act affirmatively and directly, as contrasted with the negative procedure and drastic debate limitations set forth in the House bill.

Let me read to the Senate what the Senator from Virginia said in 1939 in favor of the Senate committee bill of 1939, which is the same in substance as my amendment of today, and which he then favored and which he is now opposing. Said the Senator from Virginia:

The Senate committee method is simple and direct.

And by the way, the section is even headed in what I consider to be capital letters: "Simple and direct method";

that is the Senate committee method which he then favored and which he now opposes.

Later in the same section of his report the Senator from Virginia said in 1939:

Congress is anxious—

He had learned of this, of course, from his 6 years of work and efforts, as had we all, to some extent—

Congress is anxious for reorganization for economy, simplicity, and efficiency. The people of America are demanding it. The Senate committee bill—

That is the same as my amendment of today, Mr. President—

The Senate committee bill—

Said the Senator from Virginia in 1939—

provides—

What?—

provides a more expeditious way to achieve it.

There is no contention made there that the method which I have proposed would be a dilatory one. There is no contention there made, such as was made last week by the Senator from New Mexico, that my amendment or the Senate committee bill of those days, which was the same as mine, would kill reorganization. Indeed, the Senator from Virginia, after 6 years of study of this question of reorganization of governmental agencies, said in 1939 of the very bill which is the same as my amendment:

It provides a more expeditious way to achieve it.

By the term "it" is meant the reorganization as used in the preceding sentence. And then he said:

At the same time, it—

That is the Senate committee bill which he then favored and now opposes—

At the same time, it—

The same as the amendment presented by me, Mr. President—

protects well-considered and wise proposals, as well as the rights of the representatives of the people to voice their approval or objections to changes in Government which may be of vast importance.

And then referring to reorganization, the Senator from Virginia said in his report of 1939 to the Senate—and this was not after a few weeks or days of study, it was after 6 years of study of reorganization and of efficiency and economy in government:

Responsibility for it—

"That is to say, for reorganization—

lies—

With whom?—

lies jointly with the legislative and executive branches, because primarily it is the duty of the legislative branch to formulate the policies and prescribe the functions given to the executive branch for administration.

And then he continued with these significant sentences in his report of 1939:

However, it must be a precaution of first consideration—

Not a matter of subsidiary importance, but a precaution of first consideration, he said—



in any reorganization that delegation of power at best is a wedge into our form of government of great potential danger. Any new delegation of power—

Said he—

must be explicitly defined and safely curbed.

Mr. President, if we search Senate bill 1120, the committee amendment, and if we search the amendment submitted by the Senator from Virginia, with the highest powered magnifying glass known to science, we will find no explicit definition or safe curb to which the Senator from Virginia referred as an essential in his report of 1939.

Mr. President, I know of no reason why principles—and I emphasize the word "principles," not "expediency," but "principles—I know of no reason why principles which were so salutary, so wholesome, so simple, so direct, so deserving of capitalization even as to one of them in the report of the committee, and so fundamental, as stated in the report presented by the Senator from Virginia in 1939, should in 1945 be abandoned, especially in view of the fact that no criticism whatever of these principles is made by the Senator from Virginia or by any other Senator who has spoken upon the floor; the only reason for their abandonment being, to quote again in substance the Senator from Virginia, that (a) we now have four times as many employees as we had in 1939 and (b) we have a different man as President.

Mr. President, laws of one type should not be made for one President and laws of another type for another President. There sits in the chair at this moment an esteemed friend of mine of a different political faith but whom I have known as the Governor of his State, the State of Nevada. I dare say that at no time did he recommend to the legislature of his State that a different series of laws should be enacted and made applicable to the time when he was governor than would be made applicable to the time when someone else was governor merely because of a change in personnel. I recall as does he that Chief Justice Marshall said:

The Government of the United States has been emphatically termed a Government of law, and not of men.

I dare say the decisions of the courts from one end of this land to the other—and I recall the significant and important decisions of the Supreme Court of my own State of Missouri—have emphasized and reemphasized the statement made by that man, intellectual giant as he was, Chief Justice Marshall.

There is in this very building a historic spot, from which that grand man, Samuel B. Morse, from whose family, at least collaterally, perhaps directly, I do not know, the distinguished Senator from Oregon who sits here this afternoon may come, at the place where the Senate Law Library is now located, more than a century ago, sent over the telegraph from here to Baltimore the message, "What has God wrought?"

And this man Marshall, man of great dignity and distinction and integrity of purpose and knowledge and discernment of the law, this man sat in these very surroundings upon that court which has

laid down these salutary and fundamental principles of government.

I assert, Mr. President, that we have not yet arrived at the point where we in the Senate should undertake to pass one type of law applicable to President Roosevelt and another type of law applicable to President Truman. There may be those who prefer one man or the other; but, after all, the remarks of Chief Justice Marshall are still true and sound. The mere increase in number of employees of the Government does not justify us in abandoning principles which, as the Senator from Virginia pointed out in 1939, were wholesome and fundamental, unless in the meantime those principles have been found to be fallacious. I assert that the same principles of government are as sound in the days of Harry S. Truman as President, and with an increased number of employees in the Government, as in the days when Franklin D. Roosevelt was President and we had a smaller number of employees in the Government. I undertake to say this afternoon that it is unwise and improper to allow expediency—or "realism," as some term it—to supersede principles of unquestioned merit and excellence.

What about the committee amendment and the Byrd amendment? What is it that they do? I have hitherto stated to the Senate that the committee amendment to Senate bill 1120 delegates legislative power. I do not ask the Senate to rely solely on my conclusion to that effect. We have a Judiciary Committee of the Senate, which at the time of the report on Senate bill 1120, October 18, 1945, consisted of 17 lawyers from among the membership of the Senate. They represent not much less than one-fifth of the entire membership of this body. I again call the attention of the Senate to the fact that not merely do I say that the committee amendment delegates legislative power but that this great body of lawyers, in their report, to which no member filed a dissent, repeatedly say that the bill, by which the committee means the committee amendment, delegates legislative power. Let me remind the Senate of the language used by the Judiciary Committee. On page 3 of the report we find the following:

In an effort to achieve the practical objectives of reorganization of the executive branch, this bill provides that part of the legislative power of the Congress shall be delegated to the President, and that the action of the President, taken in the exercise of the legislative power so delegated, shall be the law of the land unless it be set aside by a resolution passed by a majority vote of either House.

Let me read again the next sentence from the report:

Such a delegation of legislative power does not operate to deprive either House of the Congress of its constitutional right to have no change made in the law relating to organization of the Government without the assent of at least a majority of its Members present and voting.

Again, the committee of 17 distinguished lawyers, Members of the Senate, distinctly used the language "a delegation of legislative power" in the sentence which I have just read.

Let me read another observation from the report of the Judiciary Committee. I pass to the next page, page 4, where we find the following:

It seems apparent that the President will make large use of the Bureau of the Budget in exercising the legislative power respecting reorganization which this bill delegates to him.

As I cast my eye farther down the page I find the following:

In delegating certain legislative power to the President, this bill exempts from the exercise of such power the General Accounting Office and the Comptroller General and certain independent regulatory agencies.

The Senator from Virginia himself has explained his own view with respect to whether or not the proposed delegation of power would be a delegation of legislative power. Please note the following colloquy between him and the junior Senator from New Jersey [Mr. SMITH], who listens intently as I speak this afternoon. I quote from the CONGRESSIONAL RECORD of last Friday:

Mr. SMITH. Mr. President, does the Senator take the position that the proposed delegation of power would be a delegation of legislative power or executive power? Are we delegating legislative power? It seems to me that is the whole question.

The Senator from Virginia [Mr. BYRD] says what he thinks of it in seven words:

Mr. BYRD. It seems to me that we are.

Remember, the question was, "Are we delegating legislative power?" I have quoted the question and the answer.

The distinguished Senator from Virginia asks us to support the amendment, and he himself concedes that it seems to him that we are delegating legislative power.

After the foregoing observation the Senator from New Jersey said:

That is what troubles me with the Senator's argument.

Then the Senator from Virginia made this amazing statement:

Mr. BYRD. Many times we have delegated legislative power. I would say that more than half of the bureaus shown on the chart on the wall were established by Executive order.

He pointed to the charts which are still on the wall, under the clock.

They were not established by Congress. It has been done time and time again—

This is the significant part—

and will be done time and time again in the future. I want it done in such a way that it will be of some benefit to the country by reducing bureaus and agencies, instead of giving the President power, as all Presidents have been given power in the past, to create new agencies and bureaus.

So, Mr. President, this afternoon we find the distinguished Senator from Virginia not only conceding that it seems to him that we are delegating legislative power, but undertaking to say that we have many times before delegated it, and prophesying that it will be done time and time again in the future. I am afraid that his prophecy has the germ of truth in it if we establish the precedent which he asks us to establish.

Mr. President, the Committee on the Judiciary declares that the bill delegates

legislative power to the President. It reiterates that statement three times after its original declaration. The Senator from Virginia tells us, after 12 years of experience, that it seems to him that we are delegating legislative power. The Senator from Virginia has served in the executive capacity of governor of a State, and he should be able to tell something about whether a power is legislative or executive. Not only does the Committee on the Judiciary make this declaration, and not only does the Senator from Virginia himself state what I have quoted to the Senate as his belief, but, more important, perhaps, than either of those statements is the fact that the bill itself affirmatively shows that we are delegating legislative power to the President. I said that perhaps that was more important. I withdraw the word "perhaps" for notwithstanding what is said, the bill itself governs. An examination of the bill affirmatively shows that we are delegating, or trying to delegate, legislative power to the President. Why do I say that? It requires no profound technical study to understand why.

The reason why the committee amendment delegates legislative power is simple and clear, and I doubt not that every person in the gallery who may examine the bill can understand the proposition which I advance here this afternoon. The reason why the committee amendment delegates legislative power is that the committee amendment permits law to be made by the President of the United States.

Under the bill, the President is to prepare a plan and transmit it to Congress. There is nothing out of the way in that. I have no objection to having the President prepare any plan he wishes to prepare and transmit it to Congress. I have no objection to having the President make a recommendation, as it is his constitutional duty to do, in respect to matters involving the general welfare of the Nation. The President is doing nothing wrong in preparing and transmitting such a plan. But what happens then, under the committee amendment and under the amendment of the Senator from Virginia? If the Congress does nothing, the plan of the President will become law. Congress will not have legislated. No Member of Congress need cast a vote. No Member of Congress need bestow a thought upon the plan. No Member of Congress need remain awake in his seat within these historical Halls in order for the plan to become law. If Congress sits in quietness and slumber, the plan will become law. In that event, Congress will not have legislated; the President will have legislated. Mr. President, the committee amendment clearly delegates legislative power. The Committee on the Judiciary and the Senator from Virginia are correct in their opinion that it does delegate legislative power to the President.

We have had some very interesting history upon this matter of reorganization. This afternoon I have referred to something which transpired in 1939 when a reorganization bill was before the Congress and was passed. The debate on that historic occasion, Mr. President, well

merits the study of every man who raised his hand, as did I, and solemnly bound himself in accordance with the Constitution to follow the mandates of the Constitution. In the debate in 1939 the distinguished Senator from Montana [Mr. WHEELER], speaking on March 20, 1939, as shown at page 2966 of the CONGRESSIONAL RECORD which I hold in my hand, said the following:

Mr. President, I do not want to continue an argument when the Senator takes the position that in parliamentary government under our Constitution laws can be passed by negation. I just cannot follow that philosophy at all. It is absolutely contrary to every teaching I have ever heard or read of, and consequently, if that is the philosophy of the Senator from Florida I cannot agree with him.

Mr. President, I call the attention of the Senate this afternoon to the fact that the committee amendment and the Byrd amendment are identical in this respect. Each of them would permit a new law to be made effective and in full force without having the Congress give a moment's thought or take any action regarding the plan which would thus become law—a plan which perhaps would obliterate and annul legislation passed by the Congress over the period of a century. The only difference of any consequence between the committee amendment and the Byrd amendment is that under the Byrd amendment it would be more difficult to prevent the President's plan from becoming law than it would be under the committee amendment, for under the Byrd amendment the disapproval of both Houses is required in order to prevent the plan from becoming law, while the committee amendment requires the disapproval by only one House in order to prevent the plan from becoming law. Under either the committee amendment or the Byrd amendment, if Congress does nothing, goes to sleep, or goes home, the plan will become the law.

The additional difficulty which the Byrd amendment interposes in the way of those who might seek to prevent the President's plan from becoming law is strikingly illustrated by the fact that under the Byrd amendment, even if one House votes overwhelmingly to disapprove the President's reorganization plan, the plan will, nevertheless, be in full force and effect unless more than one-half of those voting in the other House of Congress shall vote to disapprove the President's plan. Mr. President, the Constitution intends that legislation shall be created only by having both Houses of Congress concur. If the Senate passes a bill which does not receive the approval of the House of Representatives, the bill will not become law. Section 1 of article I of that great document, the Constitution, provides that—

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

We do not have a unicameral arrangement under which the Senate alone can pass laws and the House of Representatives alone can pass laws. The Constitution requires the taking of favorable

action by both Houses of Congress if legislation is to be enacted. Section 7 of article I of the Constitution, in referring to the necessity for the presentation of a bill to the President of the United States for his signature before it shall become a law, describes such bills in the following language:

Every bill which shall have passed the House of Representatives and the Senate.

Only last month, Mr. President, the Judiciary Committee, composed of 17 lawyers, said on page 3 of its report that—

The basic legislative power, under the Constitution, is vested in the two Houses of the Congress. No new law can be passed, nor any existing law amended or repealed, without the assent of a majority in each of the two Houses.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MORSE. I wish to have the Senator make a point perfectly clear. As I understand, under the Byrd amendment, if the President proposes a reorganization plan and if one House of Congress disapproves the plan, but if the other House of Congress approves it, nevertheless the plan will be law.

Mr. DONNELL. The Senator is correct.

Mr. MORSE. That is to say, under this delegation of legislative power it would be easier for the President to pass his legislation than it would be for a Member of this body to get one of his own bills passed.

Mr. DONNELL. Decidedly so.

Mr. MORSE. Speaking in terms of realism, which some of the proponents of the bill have mentioned on the floor of the Senate, I see some very great political dangers in the Byrd amendment. I am inclined to think that if the present political trends continue, it is quite possible that the Senator's party and my party may be in control of the House of Representatives in 1946.

Mr. DONNELL. That is a consummation devoutly to be desired.

Mr. MORSE. I agree. Therefore, under the Byrd amendment it would still be possible, with the approval of one House of Congress, to secure the passage of legislation to which a branch of the Congress controlled by the opposition party might be overwhelmingly opposed.

Mr. DONNELL. The Senator is exactly correct.

Mr. MORSE. I simply wish to say that I think the Senator is raising a very fundamental question as to whether Congress is going to exercise its constitutional obligation of passing all legislation which is to be binding upon the American people, or whether the Congress is to abdicate that function to the President. I believe that once the people understand the principle which is involved, they will answer that question, both in 1946 and in 1948 in favor of the position taken by the able Senator from Missouri.

Mr. DONNELL. I thank the Senator from Oregon, who with his characteristic clarity of thought has so intelligently and accurately analyzed the problem before us.



Mr. President, I have referred to the discussion which occurred in 1939 upon the Wheeler amendment. I find that on March 20, 1939, the Senator from Montana [Mr. WHEELER] spoke on this subject as follows—and I read from page 2965 of the CONGRESSIONAL RECORD:

Before legislation becomes effective under our Constitution, both branches must affirmatively approve it. It is not possible to legislate by negative vote under the Constitution of the United States.

However, Mr. President, in the event that Congress elects to give any consideration to a plan of reorganization which the President may transmit to it, instead of having the Congress sleep or remain in idleness or go home and thus allow the measure to become effective by inaction, as the Congress could do under the bill, the Byrd amendment would permit the President's plan to remain effective as law if there were mustered in favor of his plan as many as half of those voting in one House, even though the other House voted overwhelmingly against the President's plan.

Indeed the Byrd amendment not only would permit—as would the committee amendment—the President to legislate if Congress did nothing, but on the other hand if Congress decided to vote on a plan submitted by the President, the Byrd amendment would permit the President's plan to become effective as law if one House approved and one House failed to approve the plan.

Mr. President, the committee amendment and the Byrd amendment clearly delegate legislative power. Moreover, the Byrd amendment makes it more difficult to prevent the President's plan from becoming law than does the committee amendment. Even though we all realize the intrinsic importance of reorganization, I can well understand the mental process of Chief Justice Hughes when he enunciated the sentence to which I referred earlier in the afternoon in connection with the Panama Refining case. He said:

The question is not the intrinsic importance of the particular statute before us, but of the constitutional processes of legislation which are an essential part of our system of government.

Mr. President, while I am referring to the Panama Refining case I wish to invite attention to one sentence of the decision in that case at page 421. After speaking of what we lawyers have understood that Congress had a right to do with respect to adapting legislation to complex conditions involving a host of ills, the Court said, through the lips of Chief Justice Hughes:

But the constant recognition of the necessity and validity of such provisions, and the wide range of administrative authority which has been developed by means of them, cannot be allowed to obscure the limitations of the authority to delegate if our constitutional system is to be maintained.

What Senator would rise on this floor today and undertake to say that our constitutional system should not be maintained?

Mr. President, I have said that the committee amendment and the Byrd

amendment merely delegate legislative power. I submit as the next proposition that there is no right or power in Congress to delegate legislative power. So far I have discussed only the fact that it does, by the committee amendment and by the Byrd amendment, try to delegate legislative power. What about the right to do so? What power does Congress have to do so? First, what does the Constitution say touching the right of Congress to delegate legislative power to the President or to anyone else? Let us figuratively call to the witness stand this afternoon the framers of the Constitution of the United States who sat in convention a century and a half ago and drafted that immortal document? I have already quoted section 1, of article I, which reads:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Were those venerable figures of history to be produced upon the witness stand this afternoon, is there a Senator who would undertake to question that they would agree together that the Congress cannot delegate legislative power? Nowhere does the Constitution, either expressly or impliedly, grant to Congress the power to delegate to anyone—the President or anyone else—legislative powers. The absence of such grant is conclusive to the effect that Congress may not legally delegate any of its legislative power.

In *Dorr v. United States* (195 U. S. 138, at p. 140), the Supreme Court of the United States said as follows:

It may be regarded as settled that the Constitution of the United States is the only source of power authorizing action by any branch of the Federal Government.

And so the witnesses upon the stand this afternoon, members of the Constitutional Convention who framed the Constitution of the United States, undertook to say by their solemn declaration in that document, and affirm the fact that Congress has no power, no matter how much it may wish to do so, to delegate legislative power.

Let us produce a few more witnesses. What have Members of the Senate of the United States said concerning the question as to whether Congress has the right to delegate legislative power? Allow me to read a few sentences from remarks made by the senior Senator from Montana [Mr. WHEELER] in this body on March 20, 1939.

Legislation delegating legislative powers to the President is unconstitutional. And that is what we are doing—delegating to the executive branch of the Government the power to abolish functions of office and repeal laws, and then say that if one branch of the Congress approves the President's action and the other branch does not, it shall become the law. What lawyer upon the floor of the Senate will rise in his place and say that that would be constitutional?

Later on the same day the senior Senator from Montana said with regard to the proposed legislation:

I submit that it is unconstitutional and is contrary to every fundamental principle of American government.

There is a distinguished Member of this body, who, I am sorry, is not present in the Chamber today, whose words all other Members of the Senate listen to with attention and respect. I refer to the senior Senator from Georgia [Mr. GEORGE], strong, vigorous, powerful, experienced, and conservative. On the same day, March 20, 1939, on which the senior Senator from Montana spoke, the senior Senator from Georgia also spoke. I can picture the distinguished Senator as he rose and said with chasteness and dignity of diction:

There is no support for the contention that Congress may delegate legislative power. It may not do so. The single test of the validity of the act of Congress, when that question is involved, is whether Congress has undertaken to delegate legislative power, or merely the power to apply the legislative formula that may at least theoretically be exactly applied.

A little later the Senator from Georgia said:

But it is a confused statement to say that the Congress may delegate legislative power. It may not do so.

Incidentally, Mr. President, it may be noted that the distinguished senior Senator from Georgia demonstrated, which he need not have done for we all recognize it, his integrity of statement by voting twice for the Wheeler amendment, namely, the amendment which the Senator from Virginia has criticized as having been similar to the amendment offered by me, and which, in fact, is to the same effect as is my amendment.

Mr. President, there is another distinguished Member of this body whose name I shall presently utter, and whom I wish were present in the Chamber this afternoon. We all respect him for his ability, scintillating and powerful as it is, challenging the admiration and attention of this body whenever he rises on the floor. I refer to the senior Senator from Maryland [Mr. TYDINGS]. I now put him upon the witness stand, following those members of the Constitutional Convention who framed the Constitution, and the senior Senator from Montana [Mr. WHEELER] and the senior Senator from Georgia [Mr. GEORGE], each making the dignified and powerful expressions to which I have referred. We now hear the senior Senator from Maryland as he expressed himself on the same day as that on which the other Senators spoke:

Mr. President, ours is a democracy. Let us quit talking about democracy unless the legislative branch of our Government is going to pass the legislation. There is no use beating our breasts about democracy and in a time when there is no stress, when there is no real emergency, handing over unlimited power to the executive branch of the Government, which, under our Constitution, has no right to legislate in behalf of Congress.

Allow me to quote further, Mr. President, from the senior Senator from Maryland. On the next day following the one on which he made the statement which I have just read, the following colloquy occurred between him and former Senator Gillette:

Mr. TYDINGS. Congress fails to take any action, and a period of 10 days elapses. Then

the President's order becomes law, as I understand. Is that correct?

Mr. GILLETTE. A period of 60 days.

Mr. TYDINGS. A period of 60 days. Is that correct?

Mr. GILLETTE. Unless the Congress has acted under the powers reserved to it in the law.

Mr. TYDINGS. Congress fails to act. Then the President's order becomes the law of the land.

Then the Senator from Maryland asked this significant question:

Where do we find in the acts of Congress an instance in which a former act of Congress has been repealed in that fashion? May the Executive be given authority to repeal acts of Congress by the passage of a law authorizing him to do so?

Then he says:

I am asking for information, because frankly, without any discussion, I believe that if we give the President that much authority we violate the limitations on the delegation of legislative power, which must have a top and a bottom. We give the President authority, in effect, to repeal an act of Congress; and the citizen can find no law in all the statute books in which the act creating the Interstate Commerce Commission has been revised, altered, or repealed.

I think that is a true statement of the case. I should like to hear the Senator say whether or not he believes the failure of Congress to take action, thus permitting the President's recommendation to become a law, would be good law; in other words, that the President could abolish a department by Executive order because the Congress had failed to act.

Mr. HICKENLOOPER. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. HICKENLOOPER. I was out of the Chamber for a few moments, but I have followed the Senator's discussion very carefully and with much interest, and I wonder if in my absence he discussed the question of whether or not under the Constitution Congress could delegate to the President the right to alter, change, or modify the revenue laws of the Nation, for instance, or such part of them as he might see fit to change, and have his alteration become the law of the land if Congress failed to act. I should be interested in hearing the Senator's discussion of that feature as applied to some rather far-reaching existing laws, because, at least at this moment, it seems to me to have a very pertinent bearing upon the whole discussion in which the Senator is engaging.

Mr. DONNELL. I greatly appreciate the very intelligent question asked by the Senator from Iowa. I have not specifically mentioned the matter of revenue laws, but the whole tenor of my argument has been to the effect that there is no power in Congress to delegate to the President legislative power on any subject—revenue, reorganization, or anything else.

Let me at this moment recall the very appropriate remark of the late Senator Adams of Colorado, a Democrat, speaking of the reorganization measure pending on March 20, 1939, when he said:

We cannot delegate the power to pass legislation. There is no way in which we can do that. Bills which we pass, conferring

powers upon the Executive, are sustained only when we lay down the rule that is to be implied.

I call the attention of the Senator to this concluding sentence of the remarks of the late Senator Adams:

We cannot validly delegate the power to reorganize, any more than we can delegate to the President the taxing power.

Mr. HICKENLOOPER. Mr. President, I had no special interest in the revenue laws or any other particular laws; I merely used them as an illustration. I think that what would apply to the revenue laws would apply with equal force to any other broad field of law, interstate commerce law, or any other broad legislation which Congress has seen fit to act upon.

Mr. DONNELL. I thoroughly agree with the Senator from Iowa, and thank him for his contribution.

Does the Senator from Oregon desire to be heard?

Mr. CORDON. The distinguished Senator from Missouri is a mind reader. I was just thinking that I might inquire of the Senator from Missouri whether any consideration has been given to the anomaly with which we are faced in the Byrd amendment. We legislate in the bill, and we either do or we do not delegate legislative power to the President. Assuming it is legislative power, of course we could not do that. Assuming it is administrative power, and made administrative by virtue of the application specifically of certain standards, in either event there is legislation, and then by the Byrd amendment we do the still more unusual thing of giving to the Congress the power to repeal that legislation by a concurrent resolution, which can have no effect whatever as law.

Mr. DONNELL. I thank the Senator. May we listen for a moment now, Mr. President, to the words of former Senator King, of Utah, as he spoke in the debate of 6 years ago. But before passing to what Senator King said, I may say, with respect to the inquiry made by the distinguished senior Senator from Oregon, that, in my judgment, Congress has within it the power to delegate certain administrative functions, provided there are set forth definite, clear, unmistakable standards. I shall in a few moments discuss whether or not there are such standards in the legislative proposal before us which we are expected to pass upon.

Mr. CORDON. If the Senator will yield further, the Senator does agree with me, however, I take it, that the Congress is certainly without the power to repeal a law by a concurrent resolution, which is in effect what the Byrd amendment sets up as the next step in case a reorganization plan shall be submitted.

Mr. DONNELL. I agree that a law cannot be repealed by a concurrent resolution.

Mr. CORDON. Yet that is what the Byrd amendment seeks, is it not?

Mr. DONNELL. I shall undertake to discuss that phase of the amendment a little later, if I may.

May we listen now to the words of former Senator King, of Utah, when he

first quotes article I, section 1, of the Constitution, and then quotes another section, namely, article II, section 3, which reads as follows:

He—

The President—

shall from time to time give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient.

Continuing, the former Senator from Utah said:

Mr. President, he—

That is to say, the President of the United States—

is not given any legislative authority. He may make recommendations to the Congress, but he may not enact laws nor be the recipient of delegated authority which would authorize him to repeal, modify, or consolidate statutes.

In these two articles of the Constitution—the first dealing with the legislative power and the second dealing with the executive power—we find too clear for argument that the Chief Executive, the President, may recommend to the Congress and that the Congress shall legislate.

I call special attention to this statement by former Senator King:

These two articles do not provide, as the Senators who reported this bill apparently would have us and the country believe, that the President may legislate and report to the Congress, which cannot undo what he has done except by a concurrent resolution requiring a majority vote of both Houses. If the power to legislate concerning what agencies of Government there shall be; where they shall be located; whether in the War Department or in the Navy Department, or in the Department of Commerce, or in the Department of Agriculture, or in some one or more of the dozens of Government-owned corporations is not a "legislative power in the highest sense," then I must admit that my study of the Constitution has been utterly wasted. How can any lawyer, knowing the history of despotic power in the hands of kings and potentates, argue that there is any authority in the Constitution or in the decisions of the Supreme Court of the United States for what is here proposed passed by understanding—unless, indeed, they have joined the ranks of those who suggest that our Constitution is outmoded and unequal to the tasks before the Nation; and that, in fact, the Congress is so impotent that it cannot legislate. That argument has been made in recent years in Italy, Germany, and Russia. Are we to ignore and disregard the terms of the Constitution at the same time that we are preaching to the nations of the world to observe the fundamental rights of men? The fundamental rights of men, of Americans, are involved in the proposed legislation—the rights of our constituents, who must deal with the various agencies of the Federal Government which the bill purports to authorize the President to shuffle as he may deem proper.

It may be noted that the distinguished late Senator from Colorado, Senator Adams, and former Senator King, of Utah, were numbered among those who voted for the Wheeler amendment along with the Senator from Virginia, who did likewise.

So, Mr. President, we have considered some testimony on the question whether Congress has the right to delegate legislative power to the President or to anyone else. We have considered what the



framers of the Constitution would testify. We have considered what Senators of the United States have testified. And, incidentally, I believe every Senator whose name I have mentioned was upon the other side of the aisle from that upon which I stand today.

Let me conclude this list of witnesses by calling on the courts themselves so that we may see what they have said as to whether Congress has the right to delegate legislative power to the President or to anyone else.

Mr. Justice Harlan, in *Field v. Clark* (143 U. S. 649, p. 3088), said:

That Congress cannot delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution.

This language of Justice Harlan was quoted with approval in the case of the *Panama Company* (293 U. S. 425), in the year 1935.

In *O'Neal v. United States* (140 Fed. (2d), p. 912) the Circuit Court of Appeals for the Sixth Circuit said—and I think I am correct in saying that the opinion was rendered by a distinguished woman judge, Judge Florence Allen, who spoke the unanimous sentiments, as I recall, of the court:

In carrying out the constitutional division of the powers, it is a breach of the fundamental law for Congress to transfer its legislative power to the President.

So, Mr. President, I submit that the testimony is clear, convincing, and unanswerable upon the proposition that this legislative power, which the Judiciary Committee concedes is delegated, and which the distinguished Senator from Virginia gives it as his opinion is delegated, cannot under the Constitution of the United States be legally delegated to the President or to anyone else.

Then, Mr. President, what is the basis on which it is sought here on the floor to attempt to sustain the committee amendment and which I assume will be used as the basis on which to attempt to sustain the Byrd amendment? The only possible contention by which to attempt to sustain the constitutionality of either the committee amendment or the Byrd amendment is the contention to which reference has been made, and which was so skillfully and courteously presented by the Senator from Utah [Mr. MURDOCK] the other day, namely, the contention that the bill itself sets up standards to be followed by the President, that those standards are such that Congress is in fact guiding the hand of the President as he moves, that he is therefore not exercising an unfettered discretion but is constantly bound by congressional limitations thrown about him and that consequently Congress has not delegated its legislative power but is merely directing him to pursue a course which Congress has already charted for him. This is in effect the position taken by the Senator from Utah [Mr. MURDOCK].

Mr. President, the answer to the contention is obvious and lies in the nature of the so-called standards set up by the bill. They are broad, vague, and lacking in preciseness and definiteness. The President is to determine what changes are necessary to produce seven

specified results. He is restricted by certain limitations of time as to how long an agency or function may be continued, by the provision that his plan may not authorize any agency to exercise a function which is not expressly authorized by law, by provisions preventing him from destroying executive departments—by which I understand is meant such departments as the Department of State or War and, by the provision that the reorganization shall not divest any quasi-judicial agency of the means, right, or power to exercise specified independent judgment and discretion. These are negative restrictions.

The results, however, some one of which—and I call attention to the fact that it is "some one of which," not all of which—in order to authorize the President to prepare a reorganization plan, he is required to find in the transfer, consolidation, coordination, or abolition of functions or agencies, and so forth, are necessary or desirable to accomplish, are the seven which are set forth in section 1 of the bill.

Those seven results are broad, vague, and lacking in preciseness and definiteness. The first of them is the facilitation of orderly transition from war to peace. Certainly it is unreasonable to contend that so vague a purpose as the facilitation of orderly transition from war to peace sets out a standard of such preciseness and definiteness that in following it as a guide the President would be traveling along a course charted for him by Congress and merely performing duties defined and legislated for him by Congress.

The remarks of the Supreme Court with respect to the legislative undertaking under discussion in the case of *Schechter Corporation v. United States* (295 U. S., 1 ch. 541), are appropriate with respect to the reorganization undertaking set forth in the bill now before the Senate for its consideration. Said the court in the *Schechter* case:

For that legislative undertaking, section 3 sets up no standards, aside from the statement of the general aims of rehabilitation, correction, and expansion described in section 1. In view of the scope of that broad declaration, and of the nature of the few restrictions that are imposed, the discretion of the President in approving or prescribing codes, and thus enacting laws for the government of trade and industry throughout the country, is virtually unfettered. We think that the code-making authority thus conferred is an unconstitutional delegation of legislative power.

The language, Mr. President, which I just quoted, is that of the distinguished former Chief Justice Hughes.

It is true that it is possible for Congress to confer certain authority or discretion as to the execution of law, "to be exercised under and in pursuance of the law." In the *Field* case the Supreme Court of the United States quotes Judge Ranney, speaking for the Supreme Court of Ohio, as saying that the true distinction—

is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be, and conferring authority or discretion as to its execution to be exercised under and in pursuance of the law. The first cannot be done; to the latter no valid objection can be made.

The proper distinction, the Court said, was this:

The legislature cannot delegate its power to make a law, but it can make a law to delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend.

The following remarks by former Senator King, of Utah, referring to the 1939 reorganization bill, are appropriate concerning the contention that in the pending bill there are prescribed standards of such quality as to prevent the bill from constituting a delegation of legislative power. Said former Senator King on March 22, 1939:

The bill prescribes no standard with any degree of definiteness. The President is not left with the sole duty of ascertaining a fact and issuing a proclamation to fit in a category named in the law. On the contrary, it is freely admitted by the proponents of the bill that the President is being given the duty of reorganizing the administrative agencies because the Congress cannot legislate, as they say.

I digress to say how familiar that language sounds in view of the fact that that was the argument made by the distinguished Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. HATCH], and I think possibly to some extent by the distinguished Senator from Utah [Mr. MURDOCK] a few days ago. I quote again from former Senator King:

On the contrary, it is freely admitted by the proponents of the bill that the President is being given the duty of reorganizing the administrative agencies because the Congress cannot legislate, as they say, and he is to use his own discretion as to the agencies he will reorganize and the ones he will not reorganize, except with respect to the agencies exempted in the bill.

I digress again to call attention to the fact that that is the situation we have here under the bill and under the Byrd amendment. Former Senator King continued:

Such broad discretion not only fails to bring the bill within the rules stated in the cases I have mentioned, but, on the contrary, such broad and uncontrolled discretion brings the bill squarely within the terms of the *Panama Refining Co. case* (293 U. S. 388) and the unanimous opinion of the same Court in the *Schechter case* (295 U. S. 495, 555). In both these cases, acts of Congress were held unconstitutional because of the broad delegation of legislative power to the Executive; but even in those cases the delegation did not attempt to give the President power to remake, redistribute, and reorganize the entire administrative machinery of the Federal Government which had grown up under specific statutes of the United States since the first Congress in 1789.

A few days ago the distinguished Senator from Utah [Mr. MURDOCK] called attention to the case of *Isbrandtsen-Moller Company v. United States* (14 Fed. Supp. 407, 412, S. C.; 300 U. S. 139), and to the fact that that case passed on the sufficiency of the standards set up in the 1932 Reorganization Act, and held that they were within the Constitution. That act, by the way, gave to the President the right, when he found those standards, to issue the regulation—not to send it back to Congress, but to issue the regulation himself. The Senator from Utah further called

attention to the fact that the *Isbrandtsen-Moller Co.* case went to the Supreme Court of the United States, but due to the fact that the question had become moot in the meantime, the Supreme Court did not decide it.

I call attention also to the fact that the *Isbrandtsen-Moller Co.* case was followed with approval in the case of *Swayne and Hoyt v. United States* (1936 American Maritime Cases 1790) before a three-judge United States District Court for the District of Columbia, approximately 2 months after the decision in the *Isbrandtsen-Moller Co.* case. But I call attention to these further significant facts:

First, both of those cases were district court cases; and, as previously noted in connection with the *Isbrandtsen-Moller case*—and it was equally true in the other case—the decision of the court was not reviewed in the Supreme Court.

In the second place, in the *Isbrandtsen-Moller case*, curiously enough, the court based its decision on the *Schechter case* and the *Panama case*, with only a sentence or two—at any rate, a very brief comment.

It will be observed that each of those cases declared, not constitutional, but unconstitutional, certain provisions before the court for consideration. It is very difficult to see how either of those cases can be authoritative to the effect that the 1932 Reorganization Act was constitutional. Certainly the most that could be said would be that some language in the cases might be considered dicta to that effect. I know of no language in either of the decisions of the Supreme Court which could be considered dicta supporting the action of the two district courts.

I call attention to another very interesting fact. Though the court in the *Isbrandtsen-Moller case* sustained the standards and the delegation of authority to the President, the fact that the contention to the contrary, namely, the contention which I make here today, is worthy of most serious consideration, is indicated by the fact that that contention was presented by a law firm two members of which were, first, Frank L. Polk, Acting Secretary of State of the United States from December 4, 1918, to July 18, 1919, and head of the American delegation to the Peace Conference at Paris, July 28, 1919, to December 9, 1919; second, John W. Davis, Solicitor General of the United States from 1913 to 1918, president of the American Bar Association in 1922, Ambassador to Great Britain from 1918 to 1921, and Democratic nominee for the Presidency in 1924. The contention of that law firm was that there was no "adequate declaration of policy or standard of action" in the Executive Department Reorganization Act of 1932 to make it valid. My recollection is that that language appears in the brief filed with the official reports.

Moreover, it was asserted the other day by the Senator from Utah that anyone who will take the time to compare the standards set up in the 1932 act with the standards proposed to be set up by the pending bill cannot help but agree that the standards proposed to be set

up by the pending bill are so much more specific and particular than were the standards set up in the 1932 act that there can be no question about the constitutionality of the bill which we are now considering.

Mr. President, if the standards in the bill which is now before the Senate are so much more specific and particular than were the standards in the 1932 act, I am unable to understand how any mind could possibly have sustained the act of 1932. But the fact is that I have examined the standards set up in the 1932 act, and I do not find in the bill now before us the additional specific and particular standards to which the Senator alludes. In fact, the standards provided in the pending bill are substantially the same as those in the 1932 act—and I have the 1932 act before me—except that one of the 1932 standards is omitted in the pending bill, and two others are added, one relating to economy and efficiency and the other to the facilitation of orderly transition from war to peace.

Mr. President, the addition of the facilitation of orderly transition from war to peace causes the 1945 bill to be even weaker from a constitutional standpoint than was the 1932 act, because, first, the standard of facilitation of orderly transition from war to peace is certainly highly vague, indefinite, and uncertain.

Suppose one of us had to reorganize the Government, and were to read the statute enacted by Congress and find that all he had to do was to reorganize it in such a way as to facilitate the orderly transition from war to peace. How could he tell which departments should be reorganized? How could he tell what functions should be abolished? How could he tell what departments to transfer, consolidate, abolish, tone up, or tone down? No human being could read that language and determine what he should do.

The facilitation of the orderly transition from war to peace is cited as one of the results which are said to make the bill a more constitutional measure than the 1932 act. In the first place, I never heard of degrees of constitutionality. I think I should say, in fairness to the Senator from Utah, that he has made no statement to the effect that there can be degrees of constitutionality. However, there can be degrees of weakness and of strength. As I see it, the bill of 1945 is weaker from the constitutionality standpoint than the 1932 act, for the further reason that not only is the standard of facilitation of orderly transition from war to peace vague, indefinite, and uncertain, but remember that the President, in order to become subject to the direction to prepare a reorganization plan, is required only to find that a transfer, consolidation, or abolition is necessary to accomplish, not all seven of the standards, but one or more. Therefore, under the provisions of the 1945 bill the President could select this vague, indefinite, and uncertain standard of facilitation of orderly transition from war to peace as the standard under which to act.

I again call attention to how unfettered the President is by a requirement

that as a condition precedent to forming his reorganization plan he need only find that it will "facilitate an orderly transition from war to peace."

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MURDOCK. I dislike to disturb the Senator, but it seems to me that he is confusing the purposes to be accomplished with the standards set up in the bill.

Mr. DONNELL. The purposes to be accomplished are the standards set up in the bill.

Mr. MURDOCK. Certainly the Senator does not take the position that the purposes constitute the standards within which the President must act.

Mr. DONNELL. There are no other standards set forth in the bill. As I have indicated, there are restrictions as to time, and as to the functions that may not be reorganized, but there is no standard from one end of the bill to the other, except those set forth in section 1, unless the Senator considers the restrictions as standards. The bill prescribes that whenever the President, after investigation, finds that the transfer, consolidation, and so forth, to which reference is made in section 3 is necessary or desirable to accomplish one or more of the purposes of section 1 (a)—which are the seven results or standards to which I have referred—he shall prepare a reorganization plan. There is no standard, unless either these negative restrictions or the positive results which are set forth in section 1 are considered as standards.

Does the Senator desire further comment?

Mr. MURDOCK. I simply wish to say that I certainly cannot agree with the Senator in his statement that the purposes of the bill are the standards set up, within which the President may act.

Mr. DONNELL. May I ask the Senator in what section he finds the standards?

Mr. MURDOCK. We are simply in disagreement on that point.

Mr. DONNELL. May I ask the Senator if he will be kind enough to tell us where in the bill there are any standards other than those provided in section 1, or the negative restrictions to which I have referred?

Mr. MURDOCK. All I wish to do is to call the attention of the Senator to section 2 and section 3 of the bill, which in my opinion set up very definite and specific standards prohibiting the President from acting except in a certain way to accomplish one of the purposes, or more than one, or all the purposes set forth in section 1.

Mr. DONNELL. Taking up the two sections to which the Senator has referred, section 3 and section 2, certainly section 3 cannot be considered as setting up standards. Nothing of any such nature, kind, or description is mentioned in section 3. Section 3 merely prescribes that whenever the President finds, after investigation, that the transfers, consolidations, coordinations, abolitions, and so forth are necessary or desirable to accomplish one or more of the purposes of section 1 (a), he shall prepare a reorgan-



ization plan. No standard is set up in section 3, from one end of it to the other, so far as I can find.

So far as section 2 is concerned, it contains the negative restriction to which I have repeatedly referred, with respect to the continuance of an agency beyond a particular time, the creation of a function not expressly authorized by law, the abolition of executive departments, such as the War Department or the Navy Department, and the divestiture of a quasi-judicial agency of the means, right, or power to exercise independent judgment and discretion. Other than these negative restrictions, the only standards in the bill, from alpha to omega, are those set forth in section 1 (a), which is corroborated by section 3 (a), which says that whenever the President finds that the transfers, consolidations, and so forth, are necessary or desirable to accomplish one or more of the purposes of section 1 (a), he shall prepare a reorganization plan. There can be no doubt that the standards of the bill, other than the negative restrictions, are the affirmative ones set forth in section 1, and the President is required to find only that the various transfers are necessary or desirable in order to accomplish one or more of the results sought to be attained. He himself can select any one of them. If he finds that the transfers are necessary or desirable to accomplish one—as, for example, the facilitation of the orderly transition from war to peace—he is justified and, in fact, directed by the bill to prepare a plan of reorganization.

Mr. President, I have heard a number of Senators, particularly, one I have in mind at the moment, discuss the predicament in which some find themselves, on the one hand, in view of the fact that the Constitution prescribes one thing, and, on the other hand, in view of the appropriate and proper respect they have for the Senator from Virginia and his knowledge of agencies of the Government and the conclusion which they might draw from what he said as to the practical difficulty of accomplishing reorganization, if it be not done by Executive action. Mr. President, I appreciate that position, but I understand it only in its language. I cannot subscribe to the doctrine that we should allow a practical problem as to how we are to accomplish a reorganization to cause those of us who believe that the measure is unconstitutional to vote for it, nevertheless.

Mr. President, in compliance with article 6 of the Constitution of the United States, I held up my hand, as did you, and bound myself by either oath or affirmation—in my own case, by oath—to support the Constitution. I find that in my judgment the bill is unconstitutional, I cannot vote for it, even though the reorganization cannot be accomplished by any means other than a violation of the Constitution.

But I am not prepared by any manner of means, Mr. President, to concede that our Government has broken down, that our Constitution cannot be complied with. I am one of those who believe that the Constitution still exists in full glory and power and practicability. If I be wrong

as to that, the method is clear by which the people themselves can cure the defect. An amendment to the Constitution can be adopted, as the first President of the United States pointed out in the address I quoted the other day.

Mr. President, again let me say that the first President of the United States cautioned against usurpation of powers and against any means of transferring from one department the powers of another, unconstitutionality. I may add to that an admonition of equal importance which could well and appropriately be made against having any branch of the Government undertake to abdicate, as the Senator from Oregon so aptly expressed it, not merely its constitutional powers but its constitutional duties.

Now I address myself to the argument made by the Senator from Virginia and the Senator from New Mexico that reorganization will be prevented by the adoption of my amendment. I believe I am correct in understanding that the Senator from Utah likewise made a similar argument, or at least that he shares that general view. I may say that the Senator from New Mexico said, the other day, as shown at page 10582, of the CONGRESSIONAL RECORD:

Mr. President, I am not concerned about the technical question of delegation of legislative authority. I have read a number of Supreme Court decisions on that subject. Frankly, I am a little confused about when legislative authority is delegated and when it is not, and I think the courts sometimes become a little confused.

We note that the Senator from New Mexico there said:

I am not concerned about the technical question of delegation of legislative authority.

Mr. President, I should like to mention, in contrast, the attitude of the Supreme Court of the United States as to its concern on that subject. From the Panama case, I call attention to page 432, where we find the following short, succinct sentence of Chief Justice Hughes:

To repeat, we are concerned with the question of the delegation of legislative power.

Although the Senator from New Mexico exhibits no concern, as he says, about the technical question of delegation of legislative power, I undertake to say that this question cannot be brushed off on the theory, as the Senator put it on the next page, that the question of Constitutional construction is a gnat. He said:

We strain today at the gnat of constitutional construction, but we swallow the camel of overloaded, over duplicated, inefficient, wasteful, and extravagant bureaus in the executive branch of government. I do not wish to keep on straining at gnats and swallowing camels.

In the case of the NIRA, Mr. President, it might have been better if the Congress of the United States had strained at what the Senator from New Mexico calls a gnat. The Supreme Court of the United States did not call it a gnat. It called it unconstitutional to pass that type of legislation, and it declared the legislation null and void.

But what about the argument that reorganization will be prevented by the

adoption of my amendment, which provides that before the reorganization plan shall go into effect, both Houses of Congress shall pass and the President shall sign a joint resolution approving the plan? The President would sign the joint resolution, just as he would sign any bill. There is no showing whatsoever that the reorganization would be killed in that event. I quote again the distinguished Senator from Maryland [Mr. TYDINGS], who on March 20, 1939, rose on the floor of the Senate and said:

Oh, I know the argument. It is said, "You cannot write a plan to reorganize the Government to which the House and Senate will agree." Who said that? Who can produce any proof to support that point of view? That is a mere supposition. I believe the Congress can write a plan, and I believe if that were done and the plan were presented to both Houses of Congress it could be adopted and would go to the Chief Executive, who would perform his regular function of approving or disapproving the plan.

Then, continuing with the power and vigor which are familiar to us, the Senator from Maryland said:

Have we not gone far enough in handing over power to the executive branch of the Government? Many powers had to be handed over, perhaps. There may be just argument to support what has been done; but why hand this power over? Where is the emergency? There is no emergency. If we hand this power over, if we pass the bill, we simply write on the statute books of our country that the legislative branch of the Government is incompetent to legislate.

Along similar lines Senator King, of Utah, said, at page 3089:

Important legislative power is sought to be conferred upon the President by the terms of this measure, the argument being, as I understand, that reorganization can thereby be more quickly secured than by congressional legislation. In other words, it is contended that by the abdication of its power by Congress—

The Senator from Oregon also used that term this afternoon—

the President may perform legislative functions and execute those powers with greater speed than can a body of 96 Senators and more than 400 Representatives. I am unwilling to support that view, or to confess that the Congress of the United States is incompetent to discharge a duty imposed upon it by the Constitution of the United States.

A few minutes ago one of the distinguished Members of this body was sitting in his chair on the floor of the Senate. I believe he is the only Member of the Senate on our side of the aisle whom I have quoted this afternoon. I refer to the senior Senator from Ohio [Mr. TAFT], for whose profound knowledge, judgment, and constant fidelity to duty I have the highest admiration. A few days ago he said, when speaking on this very floor:

But I see no reason why reorganization cannot be brought about in the same way that other measures of a legislative character are effected. Why should not the President study the matter, present a plan to the Congress, and let Congress determine the method by which the plan shall be adopted?

Mr. President, suppose the desired reorganization cannot be accomplished by means of congressional action—a concession which I am not at all prepared

to make. Let me quote again, I believe, from Washington's Farewell Address:

But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance, in permanent evil, any partial or transient benefit which the use can, at any time, yield.

What about the argument of the Senator from New Mexico that the President can now do all that the bill with my amendment would permit, and that the adoption of my amendment will nullify the bill. I desire now to say that it is true that my amendment will nullify the part of the bill which is unconstitutional. I wish to say further to the distinguished Senator from New Mexico that I make that statement without apology. He was of the opinion, because of some language I used, that I was apologetic in presenting my constitutional views. I am proud to stand on the floor of the Senate and undertake to outline what I think are the correct constitutional views.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MORSE. I merely wish to make a suggestion in connection with the remarks which the Senator from Missouri has just made. The question is whether or not the country can look to the Congress to fulfill its legislative duties and obligations under the amendment proposed by the Senator from Missouri.

It seems to me that in connection with the pending bill, as in connection with so many of the controversies which arise in the Senate these days, there is the very fundamental issue of whether or not we are going to retain in this country a three-branch system of government, with each branch performing its functions under the Constitution under our check-and-balance system, or whether we are going to continue down the road of giving more and more legislative power to the executive branch of government. I think the fundamental political issue which confronts the people of this country today is executive versus representative government.

In that connection I wish to point out that it is a quite different thing for Congress to pass in review upon a reorganization plan of the President affirmatively, and quite another thing for Congress to permit that plan to go into effect without the action of Congress.

I happen to be one who believes that the Congress must take unto itself more checking control over the executive branch of government so far as administrative agencies are concerned. I think it is in the interest of better government to make certain, under such an amendment as that which has been proposed by the Senator from Missouri, that when the President seeks to reorganize any particular commission, department, or agency of government we should be fully aware of the import and implications of such reorganization. I believe that if the Congress had courage enough to vote itself the funds which it needs in order to check upon the administrative agencies of the Government, a great many of the

administrative abuses which are now practiced by agencies of the Government would automatically cease.

I am opposed to the pending bill in its present form because, as I see it, it represents simply another case of Congress giving up more and more control over the administrative agencies of Government when it should be exercising greater and greater control. We should certainly say to the President of the United States, when he seeks to reorganize any particular department or commission of the Government, "We will go along with the reorganization if on the merits you can demonstrate to us that the particular reorganization which you request will be in the interest of better government."

I believe that a review with scrutiny of the administrative agencies of Government would result in a more efficient administration of the entire Federal Government from top to bottom.

Mr. President, I do not propose to vote for the bill in its present form, not only because I believe it will result in Congress exercising less control over the administrative agencies of Government than it exercises now, but I do not propose to vote for it for another reason which I will discuss at greater length at another time. I believe that it would weaken the prestige, functions, and obligations of the Congress by giving to the President, through legislation, the power to reorganize the executive branch of the Government and then limiting Members of this body in debate on the subject of the reorganization.

I believe that Members of the Senate know that so long as I am in the Senate, as I served notice several months ago when the Members on the other side of the Chamber wished to exercise a restraint of freedom on debate in this body which I believed to be dangerous in its precedential form, I will never grant unanimous consent in connection with limitation of debate. I will not vote for legislation which seeks to weaken what I consider to be the greatest ultimate strength of the Senate of the United States, namely, protecting the people of this country from Executive tyranny. I shall never willingly permit a limitation upon free debate of the merits of any issue which may come before the Senate. Whenever it can be demonstrated to me that a filibuster is in progress, which is a debate not on the merits of an issue, I shall give very serious consideration to signing a petition for cloture.

Mr. DONNELL. Which is what I believe the Senator did in connection with another bill which was once before the Senate.

Mr. MORSE. I did so in connection with the consideration of the FEPC bill.

Mr. DONNELL. Yes.

Mr. MORSE. I think the pending bill constitutes a delegation of legislative power with no reasonable standards provided for debate upon the subject. As I said earlier in the afternoon, the bill constitutes an abdication of legislative function and obligation of the Senate. I believe it is also an attempt to weaken the control of this body over the final legislative verdict at which it may arrive.

I believe that the control of this body will be weakened by the limitation of debate which is sought to be imposed, and I cannot vote for the bill in its present form.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. DONNELL. I yield, but I wish first to thank the Senator from Oregon [Mr. MORSE] for his very clear and valuable exposition of his views.

Mr. SMITH. As one of the members of the Judiciary Committee who voted to report the bill to the Senate in its amended form, I wish to say that I agreed fully with the Senator from Missouri [Mr. DONNELL] and with the Senator from Oregon [Mr. MORSE] in the position taken by them when the issue came before the committee, and I thought that the bill should be reported in the form in which it would have been had the amendment, now offered by the Senator from Missouri, been accepted in committee. I believe that before a plan for reorganization is put into effect it should have the affirmative action of both Houses of Congress. I objected in committee to the type of amendment offered by the Senator from Virginia [Mr. BYRD] because it seemed to me that such an amendment would permit one House of Congress and the President to enact legislation to which the other House might object.

I wish to ask the Senator from Missouri and the Senator from Oregon whether I understood them correctly to say that they object fundamentally to a bill such as the pending one which provides that after a period of 60 days the plan would become effective as law unless there had been a veto by one or both Houses of Congress. In other words, if I understand correctly, the Senator from Missouri and the Senator from Oregon object to the form in which the bill was reported to the Senate by the Judiciary Committee.

Mr. DONNELL. I will answer the Senator from New Jersey succinctly and accurately. I shall not vote for the bill unless it provides that in order for the plan to become effective it must receive the affirmative vote of both Houses of Congress as well as the signature of the President of the United States.

Mr. SMITH. May I ask the same question of the Senator from Oregon [Mr. MORSE]?

Mr. MORSE. I will state to the Senator from New Jersey that it is my position, without equivocation, that I will not only vote against the pending bill, but I will vote against any proposed legislation which could become law without the affirmative action of the Congress of the United States, and that means both Houses of the Congress of the United States.

Mr. SMITH. I thank the Senator from Missouri and the Senator from Oregon. I think it is important to have emphasis placed in the Record on this point.

Mr. DONNELL. I hope my statement was clear. I think the Senator from Oregon has possibly stated more accurately my position than I stated it. I repeat that I will not and can not, as I see my obligation, vote for this bill unless



it shall receive the affirmative approval of both Houses of the Congress of the United States. Unless it shall contain a provision requiring that the plan shall not be put into effect unless and until the plan of reorganization shall have received the affirmative approval of both Houses of Congress, I will not vote for the bill.

Mr. SMITH. Will the Senator from Missouri yield for one more question?

Mr. DONNELL. I yield.

Mr. SMITH. I understand that the Senator takes the position which he has repeated many times in the debate, namely, that the action of the President called for by this bill is legislative action and not Executive action.

Mr. DONNELL. The bill provides for a delegation of legislative power to the President. That is my opinion.

Mr. SMITH. I assume that the Senator will not object to the President presenting a proposal to reorganize the Government. The Senator makes the point that when a plan of reorganization is presented it is nothing more than a proposal, and that both Houses must be required to act affirmatively in order to make the proposal law.

Mr. DONNELL. The Senator has stated my position.

It has been stated in particular by the Senator from New Mexico who addressed himself to the subject, that the President can now do all that the bill with my amendment provides, and that my amendment would nullify the bill. In response to that statement I was saying just before the Senator from Oregon spoke, that it is true that my amendment does nullify the bill to the extent that the bill is unconstitutional. It affects that portion of the bill which, in my judgment, is unconstitutional, namely, section 4 (a) which provides that the reorganization specified in the plan shall take effect if nothing whatsoever is done by Congress.

However, Mr. President, the bill and the amendment which I have submitted do accomplish something, and I think a very important thing. The bill requires the President to investigate and make findings, and if they show a reorganization to be necessary or desirable to produce one or more of the results set forth in section 1 (a), it requires him to prepare a plan.

Mr. President, the requirement in the Constitution, article II, section 3, that the President shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and desirable, does not require him to recommend on all subjects, or at any particular time, but the bill selects the subject, and makes it obligatory that the President perform the duties set forth in the bill. To the extent that it requires the President to examine the subject and submit a plan, I think the bill serves a substantial and a good purpose.

The amendment which I have presented does not prevent the President from exercising leadership, but the leadership which it does not prevent him exercising is the leadership of the wholesome type, namely, the leadership

of the type contemplated by the Constitution, that is, as I read from section 3, article II, that he "shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." This bill does not take that power away from him. Indeed, it makes it obligatory, as I have indicated, that he shall take up the specific subject and give us the benefit of his study and of his views by way of a plan. So I say that the plan which I have offered does not prevent the President from exercising leadership.

As I indicated at the outset of my remarks this afternoon, there is no desire on my part to hinder or prevent a reorganization. I concur with the remarks of the Committee on the Judiciary that a reorganization of the executive branch is more imperative today than ever if we are to put this vast structure on a modern and workable basis and effect economy and simplification in its administration. I wish to say, however, that I am opposed to a reorganization which shall be brought about in an unconstitutional manner, and if I think the measure before the Senate is unconstitutional, I cannot vote for it.

Emphasis was placed strongly by the Senator from New Mexico upon the various exemptions set forth in the bill. I do not know just why he brought that out in connection with the discussion of my amendment, for I have had nothing to do with inserting any exemption in the bill. Indeed, when we had before us the only exemption I have heard voted upon, namely, the exemption of the Engineer Corps, proposed by the Overton amendment, I voted against it, and I did so largely upon the clear, cogent, and convincing argument of the Senator from Utah, who pointed out that to exempt that particular agency would be but a precedent which would cause other agencies to ask for like treatment by way of exemption.

Mr. President, I have presented here this afternoon as best I could the point that the bill in its present form is unconstitutional, but there is another point to which I shall address myself. I realize the lateness of the hour, but to my mind this matter is of such paramount importance that I am justified in asking the patience of the Senate to listen to the discussion of the second point, which is, that regardless of whether it be constitutional or unconstitutional, the negative method prescribed by the committee amendment, and that which is prescribed by the Byrd substitute, is opposed to sound public policy.

Mr. President, a procedure by which a measure may become law without any action on the measure being taken by Congress is clearly opposed, in my judgment, to sound public policy, regardless of the constitutionality of the procedure. The very statement of it indicates the soundness of my contention. Procedure by which a measure may become law without any action on it being taken by Congress enables law to be created without any thought whatever being devoted to it by Congress. As I have indicated

before, under such procedure Members of Congress could be utterly inactive, they could sleep, or return to their constituencies back home, and then laws created by the President under this bill, setting aside, perhaps, statutes enacted by Congress a hundred years ago, would come into full force and effect. Certainly it is not sound public policy to enact a bill which would permit laws to be created without any thought whatever being devoted to them by the body to which the Constitution gives the exclusive lawmaking functions and power.

Furthermore, each exercise of such procedure as this is a precedent toward permitting other legislation to be created without thought or action by Congress. It may be said that in this instance we must have this particular procedure in order to bring about reorganization. That will be the argument we will hear on something else, "Yes, we must have another violation of the Constitution in order to pass some other legislation," and the fact that we shall have passed the bill now pending will be a strong, a cogent and convincing argument to many of our successors in office as to the importance, the desirability, and propriety of passing other legislation which is likewise vitiated by the delegation of legislative power therein contained.

Furthermore, Mr. President, can it be doubted that there is less feeling of responsibility by Congress in merely having a power to disapprove a measure proposed by someone else which will go into effect if nothing is done, than if Congress has the responsibility on its shoulders to find affirmatively that the measure is a desirable one?

I have no objection to the President preparing a plan and submitting it to the Congress, but I do object to the decreased feeling of responsibility in Congress which would come from the President merely sending up a bill, when all we would have to do would be to look it over and say, "We do not see anything wrong with it," whereupon, without any action on the part of Congress, it would become law. Certainly, such abdication of our duty is profoundly opposed to sound public policy.

Mr. President, instead of being moved by a constant realization that before a measure should be enacted into law a preponderance of proof that the measure is desirable and wise should be found by Congress to exist, under the proposed procedure, by which the President would make a proposal and if we did not do anything, it would become law by default, Congress would be apt to rely largely on a presumption as to the regularity and correctness of the measure as prepared by the executive department.

Can it be doubted that such procedure as proposed by the bill tends perhaps to laziness and slothfulness and inaction by Congress? Can it be doubted that it tends to discourage initiative by Congress? Can it be doubted that it tends toward a surrender to the Executive of the thinking on measures? Can it be doubted that such procedure, ignoble as it would be, would make Congress a mere rubber stamp?

Mr. President, the importance, from the standpoint of public policy, of Congress exercising its function and not surrendering them, was forcibly outlined by the Senator from Montana [Mr. WHEELER] on March 20, 1939, as follows:

I did say, and I repeat, that the Congress of the United States ought to exercise its functions under the Constitution as the forefathers drafted the Constitution. We ought to have the intestinal stamina to stand up here and say that we can legislate. How can we expect the people of the State of Illinois, or the people of the State of Michigan, or the people of the other States of the Union, to trust parliamentary government if we, ourselves, assert that we cannot trust ourselves to legislate honestly?

Mr. President, by advocating that Congress exercise its own functions, neither the Senator from Montana nor I advocate that the President should not send recommendations to Congress or should not propose legislation for recommendation to Congress. The Senator from Montana clearly states the view which both he and I take in this matter. At least this is the view he took in 1939. I do not know his views today. He said then:

Some Senators have stood on the floor of the Senate and criticised the President because legislation was drafted in the executive department of the Government. I have never been one of these. I say that it is perfectly proper for the executive department of the Government to draft legislation, and that they should send their proposals to the Congress. I do not condemn the executive branch for doing that. I do not condemn the President for doing it.

Then the Senator from Montana said in ringing words:

I condemn any weak-kneed Senator who has not the intestinal stamina to stand up, if he disagrees with the executive department, and say to the President of the United States, to Mr. Ickes, to Mr. Wallace, or to any other officer, "I disagree with you."

The Senator from Maryland [Mr. TYDINGS] had the following to say on this subject, Mr. President:

How ludicrous it is for us as a legislative branch of the Government to say that one of the great problems before this Nation is the necessity of reorganizing and consolidating and taking other action in respect to the functions of the executive branch of the Government, in the interest of economy and efficiency, but that we do not intend to do a thing in the world about it except to pass a resolution inviting the President of the United States to legislate for us, and that whatever way he legislates will be satisfactory to us if we do not act on the plan within 10 days after he submits it.

The Senator from Maryland continued:

Mr. President, if there is need for reorganization, we should write the plan in Congress. Let it go through the normal processes of government up to the Executive, and have him approve it or disapprove it. If we feel there is no need for reorganization we should do nothing at all.

We ought not to abuse the various executive activities of the Federal Government on the floor of the Senate, and hold this branch and that branch up to ridicule and abuse, and then continue to allow more legislative authority to be transferred to the executive branch of the Government.

The Senator from Maryland called attention to an ominous fact, namely, to the unrest in this country, and expressed the following view:

Already, I believe, one of the great causes of unrest in this country has been the transference of legislative power to separate and independent agencies, which in effect is creating a fourth branch of our National Government, not that of legislation, not that of judicial or executive functions of the Government, but administrative legislation within supposed limits fixed by Congress in passing various acts.

Mr. President, I emphasize, in considering the unsoundness, from the standpoint of public policy, of the proposed delegation of power, the world-wide trend toward abandoning parliamentary government and turning the power over to the executive department. The Senator from Montana [Mr. WHEELER] on March 20, 1939, forcefully called attention to this trend, in the following language, which is prophetic in its nature:

The whole course and trend today in Europe, and the whole trend in the United States of America, is toward giving up parliamentary government and turning the power over to the executive branch of the government. I say that such a trend is wrong, and as long as I remain in this body I shall continue to fight that sort of thing, regardless of whether or not I am charged with not trusting the President of the United States.

Mr. President, even in Great Britain the tendency toward surrender of legislative power and transference of it to executive domination has attained great momentum. On March 20, 1939, the Senator from Florida [Mr. PEPPER] said:

Let us take the British Parliament, if the Senator wishes to choose that. If the Prime Minister embarks upon a legislative course, the Parliament has the privilege of stopping that procedure, or reviewing it, or criticizing and vetoing it, before it goes into effect. Can the Senator say that that ancient Parliament has ceased to be the citadel of parliamentary procedure?

It will be observed that even though the Senator from Florida implies his belief that the British Parliament is yet "the citadel of parliamentary procedure," he nevertheless makes no mention of parliament itself being the body which initiates legislation. He emphasizes the Prime Minister as embarking upon a legislative course and refers to the so-called privilege which parliament has "of stopping that procedure, or reviewing it, or criticizing and vetoing it, before it goes into effect."

Mr. President, that is what we are asked to do in the committee amendment and in the Byrd amendment. We are asked to embark upon a legislative course with the privilege retained to ourselves to stop the procedure, to review it, or criticize or veto it before it goes into effect.

Mr. President, although the Prime Minister of Great Britain—and I digress at this moment to pay a word of tribute to the very interesting address which he gave to the Members of Congress yesterday—although the Prime Minister is a Member of Parliament, it is a long distance between embarkation by Parlia-

ment itself on a legislative course and embarkation by the Prime Minister upon such legislative course.

On July 27 of this year—I do not think I shall ever forget the occasion—the Senator from Georgia [Mr. GEORGE] made a statement. I do not believe I can give the exact language, but I remember the circumstances clearly. The Senator rose from the seat where the Senator from New Mexico [Mr. HATCH] now sits, and said:

The House of Lords has almost disappeared from any respectable part in the Government of England, save as a court in which law may be interpreted and announced.

The Senator from Georgia pointed to the House of Commons "as the heart and center and substance of the great British Empire." It is of interest to note, however, that the Senator then said:

The leader of that House is the Prime Minister, next in importance historically to the King, actually of first importance in all the realm where English jurisdiction and English law live.

Mr. President, in a lecture delivered in 1925 at Harvard University by Hon. Robert Luce of Massachusetts, who served for 20 years in Congress, he discussed the wane of the British Parliament as an initiating body. Referring to the time when the Federal Constitution, our own Constitution, was framed, Mr. Luce then said:

The next hundred years saw the wane of Parliament as an initiating body. By the middle of the nineteenth century, individual members of the house had ceased going beyond calling proposals to the attention of the government. A generation later it had become the practice for the ministry to determine upon all the important legislation before Parliament even assembled. With the passage of still another generation, the process of giving to the cabinet the monopoly of initiation was completed. Now no member of a minority, no independent member, if there be such, can hope for consideration of any proposal he may present. Indeed, the ministers have so monopolized the time that no member of the majority not in the government has more than a gambler's chance of getting so much as an insignificant measure considered. Not even by way of amendment may the private member embody his own ideas in legislation unless the government approves or permits. Discussion has dwindled in importance. Today it may be said of the English cabinet that, besides being the chief executive and central administrative board of the nation, it is in effect the law-making body; that of its own initiative and upon its own responsibility it makes the laws, modified only as the criticisms of Parliament may be accepted, and subject to veto only if it loses its majority in the House of Commons; that it shapes the program and directs the procedure of Parliament; that, save for the opportunity to criticize or vote in opposition, the member of Parliament not in the cabinet is a negligible factor; and that inasmuch as the Prime Minister necessarily dominates the cabinet he is virtually an autocrat, controlled by an unwritten constitution which obliges him to act within the law, and having duration of power contingent upon the popular will.

Then said Mr. Luce:

This is the form of government commended to the American people by many academic writers as preferable to that under which we now live.



I digress for a moment, Mr. President, to say that I do not agree that the British form of government is preferable to that over which floats that flag which we see behind the Presiding Officer of the Senate.

Mr. Luce continued:

We are urged to approach it by modifying our congressional and executive practices so that we shall have one-man leadership and control. We are told by not a few publicists that this way alone does our salvation lie. From time to time steps in this direction have actually been taken.

Further in his lecture at Harvard University, Mr. Luce said, at page 101:

Three quarters of our Presidents, however, have thought it their duty to execute rather than make the laws. Of course that way of putting it must be understood to take into account the constitutional injunction that the President shall recommend to the consideration of Congress such measures as he shall judge necessary and expedient. That which goes beyond recommendation is the debatable share in the making of laws.

The issue was brought into the forum of serious discussion by a little book called *Congressional Government*, published just 40 years ago and written by Woodrow Wilson, then a graduate student at Johns Hopkins University. In this vigorous volume he urged the superiority of a responsible cabinet ministry over committee government, as he called that by the Congress of the United States.

Continuing further, at page 105 and following pages, Mr. Luce says:

Over against the arguments for the cabinet system are to be set certain other formidable considerations, to my mind not often squarely met by its advocates. First may be put the belief of the framers of our constitutions that the fusion of functions invites tyranny. To be sure it is an old-time belief, but a belief is not necessarily fallacious because it is old. Experience may in the past have taught mankind at least a few things that are still useful.

I remember at this moment a distinguished former Member of this body from my State of Missouri, William Warner, who used to quote Patrick Henry. I cannot quote him exactly from recollection, but in his addresses I have many times heard him say that the only lamp he knew was the lamp of experience. After all, there is a good deal to be said in favor of the old-fashioned gospel that we learn something by experience. Mr. Luce seems to think that that saying has some element of truth, and I am old-fashioned enough to agree with him.

Mr. Luce continued:

In the last analysis, cabinet government, at that when the man who makes the law also administers and adjudicates it oppression is likely to result. Abuse of power has been a characteristic of monarchs.

In the last analysis cabinet government, at the stage it has reached in England today—

Remember, he was speaking in 1925—is nothing but monarchy under another name, and pretty near absolute monarchy at that while it lasts; for the Parliament can at a moment's notice change any and every precept in the unwritten Constitution of Great Britain, and the Parliament acts at the will of the Prime Minister as long as he is in power.

As I have stated, Mr. Luce was speaking in 1925. What has happened since then?

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I know that our distinguished friend from Virginia [Mr. BYRD] venerates the University of Virginia, which was founded by a great statesman. I quote from a book published in 1937 by Prof. R. K. Gooch, professor of political science, University of Virginia. I do not know the standing of Professor Gooch, but he was professor of political science at the University of Virginia. He wrote this:

The frank recognition in England of leadership on the part of the executive in the matter of legislation has caused the House of Commons, where practically all important public bills are in practice introduced, to allot to the government by standing order most of the time in which public bills may be brought in. As a result, the greater part and the most important part of the public bills introduced will normally be government bills.

This has a certain humor in it, and yet it is serious when we realize it:

In general, private members' measures—

By the way, I think I am a "private member." I think most of us consider ourselves "private members." We are not members of any superior oligarchy which rules the Senate.

In general, private members' measures must be introduced on a Friday early in the session; for the government monopolizes the time on all the earlier days of the week and, later in the session, takes Fridays as well. Though the House meets earlier on Friday, it also adjourns much earlier because of the week-end habit; and, for the same reason, attendance is likely to be scant.

Since many more potential private members' bills are ready for introduction than could possibly be introduced on the dozen or so Fridays available, the simple expedient adopted in the matter is that of drawing lots.

Under this plan, the Senator from Utah [Mr. MURDOCK] and others of us would draw lots to decide who could introduce his bill and who could not.

Private members who desire to participate in the draw hand in their names at the beginning of the session. Successive Fridays are allotted to members in the order in which their names are drawn.

If a private member is lucky enough to draw an early Friday, apparently he may, with further luck and considerable skill, succeed in having his bill become law. However, passage seems to depend on a combination of various circumstances. If the government is opposed to the bill, it will have no chance. If the government should approve it so definitely as to make it its own, the bill would, of course, become a government bill. If the government is indifferent, various procedural difficulties stand in the way. However, it would appear that if the private member is popular or at least not unpopular, if the bill is popular or at least not unpopular, and if the member possesses some skill in respect of parliamentary procedure, the bill will have a fair chance of being passed into law.

In his book on the English cabinet system published in 1939, by Dr. Wangteh Yu, the author devotes himself to an historical study of the evolution of the cabinet system in England. From the name, I presume that the author is Chinese, although I do not know. In the section entitled "the Cabinet Controls the Commons" the writer says, among other things—page 366:

Thus the Cabinet has become the absolute master in the sphere of finance, and wields

a power more arbitrary than any Plantagenet or Tudor Sovereign.

The author, Dr. Yu, further says—page 366:

In theory, the House of Commons still possesses power to alter its procedure, and to decide what measures it will consider, but in actual practice control over these matters is exercised by the Cabinet, which, as the supreme master of the Commons, settles what proposals shall be presented to the House and lays them before it for confirmation. As the tightening of the party system has resulted in the weakening of the power of resistance by individual members, they are compelled to accept the measures presented by the Cabinet, whether they approve of them or not.

One of the characteristics of the modern Cabinet is its full control over the legislative output of the House of Commons. As one writer has put it, the Parliament of the present day has largely reverted in substance to the practice of the Parliament of the first Edwards, under which the King, by his ministers, made the laws.

Continuing further—pages 369-370—Dr. Yu says:

Various consequences follow from the possession of legislative power by the Cabinet, such as the encroachment on the liberty of speech of individual members of the Commons, and the reduction of the legislative opportunities of private members almost to vanishing point. \* \* \*

The cabinet also virtually deprives private members of their legislative power, since their measures must meet with the approval of the ministers.

In his book on the British Constitution, published in 1941, the preface to which is dated September 6, 1940, Dr. W. I. Jennings, principal of the Ceylon University College, of Gray's Inn, barrister-at-law, says—page 74:

It must not be forgotten, though, that the last word as well as the first rests with the Government. The major legislation enacted by Parliament is the Government's legislation. The foreign and imperial policy of the nation is the Government's policy. Taxation is imposed by Parliament but determined by the Chancellor of the Exchequer. The Government not only proposes but, through its majority, disposes.

Continuing further, Dr. Jennings says—page 75:

Parliament cannot govern. It can do no more than criticize.

Continuing further he says—page 97:

Bills are sometimes introduced by peers. They are comparatively rare, because the British Parliament has long ago learned that its task is primarily to criticize legislative proposals, not to initiate them. They cannot pass the Commons unless they are entirely noncontroversial or are supported by the Government; but occasionally a bill presented by a peer does get through.

In his work on Law and Orders, an inquiry into the nature and scope of delegated legislation and executive powers in England, by Carleton Kemp Allen, of Lincoln's Inn, barrister at law, sometime professor of jurisprudence in the University of Oxford, Oxford secretary to the Rhodes trustees, and warden of Rhodes House, Oxford, published in London in 1945, the preface to which is dated November 17, 1944, Mr. Allen said—in speaking of the period between two wars,

namely, the First and Second World Wars—page 41:

Throughout all these years the volume of delegated legislation and executive powers did not diminish and they tended, on the whole, to become increasingly arbitrary. The process was much accelerated by the creation of new departments, with very extensive fields of action, such as the Ministry of Health and the Ministry of Transport. In a series of cases, most of which were painful sequelae of the war, the Crown showed a recalcitrance which can only be described as a denial of justice. Protests from the bench were frequent and emphatic, and public uneasiness grew year by year.

Mr. Allen quotes Mr. Dingle Foot, member of Parliament, as saying, on January 27, 1937—page 43:

It does not matter particularly if the House of Commons does not understand what comes before it because it is not our business to understand, but simply to pass the measures presented to us.

Further, Mr. Allen says—page 43:

Nothing, however, stemmed the stream, and it was still growing in volume when another war broke out and turned it into an irresistible flood.

Continuing, Mr. Allen says—page 94:

In the particular matter of delegated powers, modern governments show little disposition to make concessions, the less so when they are advised—as they constantly are advised, and, let it be added, in all good faith—by the permanent officials that it will be impossible to make the act work if the executive powers are abridged.

It lies, then, in the realm of constitutional fiction to say that Parliament exercises any continuous or effective safeguards over delegated legislation, and it is not surprising to find Lord Hemingford (whose view is also that of Sir William Graham Harrison) saying that "the accusation against the House of Commons at the present time is that it allows government departments to do things without knowing what is being done."

Mr. Allen, continuing, says—page 129:

"Parliament," said Mr. Lloyd George, "has never taken any practical steps to scrutinize the estimates with a view to seeing whether expenditure could be reduced without detriment to the public service, and that is one of its primary functions." Mr. Churchill considered the debates on supplementary estimates "the most worthless of any that I have known in my career." Prof. Ramsay Muir described the power of the purse as "wholly unreal." This last witness was more emphatic than any other in his estimate of the decline of Parliament's place in the constitution. "There is no country in north-western Europe in which the control exercised by parliament over the government—over legislation, taxation, and administration—is more shadowy and unreal than it is in Britain. Parliament is no longer, in any real sense, the sovereign power in the state." If this is thought to be an exaggeration, then the same must be said of the blunt opinion of a man who, at this moment of writing, has a longer memory of Parliament than any other in England. In answer to the question whether he wished to make Parliamentary control more effective, Mr. Lloyd George replied: "Well, it has not got control. I am speaking now after 40 years of experience: Parliament has really no control over the executive; it is a pure fiction."

Mr. President, in the light of the experience of Great Britain, to which the Senator from Florida [Mr. PEPPER] referred, as previously indicated, as "the

citadel of parliamentary procedure," it is well that we of 1945 in the United States should maintain, rather than abandon and reject, the fundamental principle of government to which the distinguished Senator from Virginia [Mr. BYRD] referred in the report which he presented in 1939 concerning the Reorganization Act, reading as follows—page 5:

The Senate committee submits that as a fundamental principle of government, Congress should retain the right of direct and affirmative vote upon changes of functions or policies of government and other vast potential powers which may in effect be exercised by the Executive under this proposed legislation.

Mr. President, I shall not undertake a detailed recapitulation of my argument this afternoon. I have pointed out the defects of the Byrd amendment, the change of position taken by the Senator from Virginia, the reason for that change, the fact that he makes no criticism of the principles on which my amendment is based and the principles on which the amendment for which he stood back in 1939 was based.

I have pointed out that both the committee amendment and the Byrd amendment delegate legislative power. I have pointed out that there is no right or power in Congress to delegate legislative power. I have called to the witness stand the framers of the Constitution of the United States, the distinguished members of this very body who have spoken on the subject and the courts themselves, in support of the legal proposition I have stated.

I have discussed the only possible basis on which to attempt to sustain the committee amendment and the Byrd amendment, namely, the basis the distinguished Senator from Utah so skilfully presented the other day. I have pointed out with, I trust, at least reasonable clarity the fact that the standards sought to be imposed by the bill, if they can be dignified by the term of standards, are so vague and indefinite and lacking in preciseness as to constitute no standards at all.

Then I have discussed the point made by the distinguished Senator from Virginia and the distinguished Senator from New Mexico, namely, that the adoption of a reorganization plan will be prevented by the adoption of my amendment. I have undertaken to answer that proposition and also the argument of the Senator from New Mexico that the President can now do all that the bill with my amendment would permit, and that the adoption of my amendment would nullify the bill.

I have pointed out in that connection that the bill does have merit, provided it is limited by the amendment I have offered, namely, that instead of leaving it to the President at such times as he may find proper to take such steps as he may deem proper, it would be obligatory upon him to study the question of reorganization and to give the Congress the benefit of his views thereon by means of a plan; and then I have pointed out that I base my opposition to the bill and the Byrd amendment not only on the point of unconstitutionality

but also on the proposition that the negative method prescribed by the committee amendment and the Byrd substitute is opposed to sound public policy.

I have pointed out the devastating effect which has been had on the British Parliament by the assumption of vast powers—whether voluntarily given or usurped, I do not know—by the British Cabinet.

Having pointed out that situation, I leave to the Senate the proposition that we of the Senate of the United States, standing, as we should do and as we are sworn to do, for the preservation of the Constitution of the United States, should be very slow to pass a bill which by encouraging lack of initiative and by discouraging initiative would be very likely to produce, as the years go by and as the precedents multiply, the inaction, the loss of legislative power, the loss of prestige, and the loss of influence which the British Parliament, the great citadel of parliamentary procedure, as the Senator from Florida has said, itself has experienced.

So, Mr. President, I undertake to say that the Byrd amendment should be rejected, both because it is unconstitutional and because it is opposed to sound public policy. By the same token, and conversely, I assert that the amendment I have offered, which is the same as the amendment which was before the Senate in 1939 and which at that time, in the first instance, was carried by a vote of 46 to 44, as I recall, and later was lost by a vote of 44 to 46, will assure the constitutionality of the measure, preserve its good features, and should be approved by the Senate of the United States.

Mr. MURDOCK. Mr. President, I am about to make a unanimous-consent request, which I hope will be agreed to, with reference to the vote which will later be taken on the Byrd amendment, and the Donnell amendment in the event that the Byrd amendment is not agreed to, and all other substitutes which may be offered to the Donnell amendment. I ask unanimous consent that the vote be taken not later than 2 o'clock tomorrow.

Mr. MORSE. Mr. President, I object.

Mr. DONNELL. Mr. President, I wish to be recorded also as objecting.

Mr. MURDOCK. If we extended the time to 3 or 4 o'clock tomorrow—

Mr. DONNELL. I would not consent.

Mr. MORSE. I would still object.

The PRESIDING OFFICER. Objection is heard.

#### EXECUTIVE SESSION

Mr. MURDOCK. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Robert E. Freer, of Ohio, to be a Federal Trade Commissioner, which was referred to the Committee on Interstate Commerce.



## EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Rear Adm. Oswald S. Colclough to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of 4 years;

Capt. George L. Russell, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as Assistant Judge Advocate General; and

Civil Engineer John J. Manning to be Chief of the Bureau of Yards and Docks in the Department of the Navy, with the rank of rear admiral, for a term of 4 years, from the 1st day of December 1945.

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

## POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MURDOCK. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

## THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. MURDOCK. I ask unanimous consent that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc, and, without objection, the President will be notified of all nominations confirmed today.

That completes the calendar.

## DEATH OF REPRESENTATIVE MOTT, OF OREGON

The Senate resumed the consideration of legislative business.

The PRESIDING OFFICER laid before the Senate the following resolution coming over from the House of Representatives:

*Resolved*, That the House has heard with profound sorrow of the death of Hon. JAMES W. MOTT, a Representative from the State of Oregon.

*Resolved*, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased the House do now adjourn.

Mr. CONDON. Mr. President, the Members of the House and Senate from Oregon have heard with profound shock and sorrow of the death of their colleague, the dean of the Oregon congressional delegation, Hon. JAMES W. MOTT,

at the Bethesda Hospital on Monday last. By a strange and fateful coincidence the death of Representative MOTT occurred on his sixty-second birthday.

Hon. JAMES W. MOTT was born in Pennsylvania, and was taken at an early age by his parents to the State of Oregon where he was reared. He was educated in the schools of that State, and at the Universities of Stamford and Columbia. He practiced law in Oregon. From that State he enlisted in the United States Navy during the First World War.

Representative MOTT served his State with distinction in various public capacities. He served as city attorney of his home city of Astoria. He served for 8 years as a member of the Oregon State Legislature, and also served as corporation commissioner of the State of Oregon. He had been a Member of the House of Representatives of the United States continuously since his election in 1932. Shortly after he became a Member of Congress he was appointed to the Committee on Naval Affairs. He had been intensely interested in the Naval Establishment since his early experiences in the Navy during World War I, and at the time of his death he was an outstanding authority in the field of naval affairs. His life was one of distinct service to his State and to his Nation. His death is mourned not only by his family who have suffered the loss of their husband and father, but by all members of the Oregon delegation. They have lost a colleague and a friend.

Mr. President, at this time I offer the resolution which I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 191) as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES W. MOTT, late a Representative from the State of Oregon.

*Resolved*, That a committee of two Senators be appointed by the President pro tempore of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. MORSE. Mr. President, I wish to share the expression of respect for the late Representative MOTT which has been contributed by my colleague the senior Senator from Oregon. I regret that commitments of long standing which cannot be canceled make it impossible for me to attend the funeral of Representative MOTT, but to his friends, relatives, and family I extend my very deep sympathy.

Words of comfort cannot drive away grief at such times of sorrow. However, Representative MOTT's family can take objective comfort in the fact that Mr. MOTT has left this world a heritage of devoted public service.

The PRESIDING OFFICER. The question is on agreeing to the resolution submitted by the Senator from Oregon.

The resolution was unanimously agreed to.

Under the second resolving clause the Presiding Officer appointed Mr. CORDON

and Mr. MORSE the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. CORDON. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now take a recess until tomorrow at 12 o'clock noon.

The motion was unanimously agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Thursday, November 15, 1945, at 12 o'clock meridian.

## NOMINATION

Executive nomination received by the Senate November 14 (legislative day of October 29), 1945:

## FEDERAL TRADE COMMISSION

Robert E. Freer, of Ohio, to be a Federal Trade Commissioner for a term of 7 years from September 26, 1945. (Reappointment.)

## CONFIRMATIONS

Executive nominations confirmed by the Senate November 14 (legislative day of October 29), 1945:

## IN THE NAVY

## APPOINTMENTS IN THE REGULAR NAVY

To be assistant paymasters with the rank of ensign

Stuart R. Allen	Richard W. Leighton
Joseph P. Andrews	Henry D. Linscott, Jr.
Alton W. Barton	Boyd H. Lewis
Charles W. Bastable, Jr.	Malcolm R. Lovell, Jr.
Roger W. Brown	Hood S. McChord
Thomas H. Bruno	Clarence E. McLanahan
Walter J. Buck	Edwin E. McMorries
Frederick J. Byrne, Jr.	James F. Magarahan
Daniel M. Carr, Jr.	3d
Roger E. Clingman	James J. Martin
Robert W. Cool	Laurens B. Mathews
Charles T. Creekman	Austin R. Murphy, Jr.
William J. Cummings	Earl B. Myer
David Davidson	Thomas L. Nalley
Philip L. Davis	Edward P. O'Neill
Lloyd C. Emerson	Charles C. Puckett
Clyde E. Fulton	Carroll D. Reasoner
Frank J. Gibbons	Abner A. Rissler
Herbert J. Hackmeyer	John L. Ruhl, Jr.
Ralph S. Haelele	Allen B. Sanders
George F. Halla	Walter E. Scott, Jr.
Alan M. Hamerslag	John C. Senter, Jr.
Virgil J. Harris, Jr.	Charles F. Shea
Frank F. Hart, Jr.	Ralph L. Shepard
Harold F. Hayes	Robert M. Sipple
James D. Hickey	Millard C. Snyder
Gordon G. Hughes	Robert E. Snyder
James A. Humphreys	Curtis P. Waggoner
Cecil P. Jones	Donald D. Webster
Charles A. Kasdorf, Jr.	Edward H. Wigand
Robert W. Kem	James D. Wilson
William G. Leary	

## POSTMASTERS

## CONNECTICUT

Louise S. Werner, East River.  
Catherine O'Brien, Gildersleeve

## LOUISIANA

Margaret G. Reilly, Gloster.

## MISSOURI

Francis F. Hulett, Sturgeon.

## NEW MEXICO

Elger E. Miller, Hollywood.  
Josefita E. Miera, San Antonio.

## NEW YORK

Ida Pietrobelli, Cottekill.  
Harry A. Monroe, Harris.  
Thomas G. Spring, Morton.

## OKLAHOMA

Orlando W. George, Canadian.

## OREGON

Howard T. Edson, Glendale.

## TENNESSEE

Ralph G. Hornbeak, Hornbeak.  
 Ila V. Brock, McDonald.  
 James A. Green, Pelham.  
 John W. Hudson, Pocahontas.  
 John Frank Rucker, Rutledge.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 14, 1945

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Shepherd Divine, ever near to lead us in the ways of upright living, help us to respond to Thy presence. We praise Thee that there is healing in the hem of Thy garment and blessed comfort in the merciful glance of Thy holy eye. In penitence and prayer we would come unto the world's great altar stairs that slope through darkness up to God and receive the blessing of those who come and seek.

We pray for that faith that lives in spite of existing clouds, that bears and endures through endless strain and waiting. Whatever our condition and wherever we are, lead us to tread this earth with the gracious dignity of Thy children, sharing the inheritance of those who abound in love and are rich in good works. Our Father, reclaim men who are in perils and trials, in temptations and in losses. If we think Thy thoughts and walk in Thy ways, we shall hear Thy footfall, and the depths of our souls shall arise to the more perfect way. Through Christ our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate insists upon its amendments to the bill (H. R. 3749) entitled "An act to amend the Servicemen's Readjustment Act of 1944 to provide for a readjustment allowance for all veterans of World War II," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. JOHNSON of Colorado, Mr. LA FOLLETTE, and Mr. MILLIKIN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1036) entitled "An act to provide for the payment accumulated or accrued leave to certain members of the military and naval forces of the United States who enter or reenter civilian employment of the United States, its Territories or possessions, or of the District of Columbia before the expiration of such leave."

## PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that

my colleague the gentleman from Wisconsin [Mr. KEEFE] may address the House for 30 minutes today after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## SESSIONS OF CONGRESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. RANKIN. Mr. Speaker, reserving the right to object, what is the program for Monday?

Mr. McCORMACK. I will announce that tomorrow. I am unable to state now what the program is. To be frank, I know of nothing at the present time. Is there any particular thing the gentleman has in mind?

Mr. RANKIN. I objected to the adjournment last week until we had had 30 legislative days since the introduction of my bill to release from the services, on their own application, men who have been in the service continuously for 18 months, or who had dependents to look after at home, or who desire to return to school.

That 30 days have now expired and the petition—petition No. 9—is on file on the Clerk's desk. The string of Members you see over there at the desk, I suppose, are signing that petition.

But I just want to say to the gentleman from Massachusetts that I am not willing to be adjourning over for 3 days at a time as long as we have these millions of servicemen in the armed forces who desire to come home and who can only come home by virtue of the action of Congress. We see that now.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. REED of New York. I have had a petition on the desk for some time now. The petition is numbered 8, to get all of these boys out of the service who have served honorably for 18 months. I think it is absolutely a disgrace to this Congress, in view of the action of the military, for not walking up there and signing that petition. The boys could well say next fall that they do not believe in a nominee for Congress who failed to sign that petition. It is about time we got down to earth to help those boys. They fought a great fight and won the war. They have a right to rely on Congress to help them now to come home.

Mr. RANKIN. I signed the petition of the gentleman from New York [Mr. REED] but I prefer my bill because it takes in the men with dependents, and boys who desire to return to school and complete their education, regardless of their lengths of service.

Mr. Speaker, under the circumstances, I am going to object to adjourning over until Monday.

The SPEAKER. Objection is heard.

## EXTENSION OF REMARKS

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include therein an address by Dr. James A. Reeves, president of Seton Hill College.

Mr. HEBERT (at the request of Mr. LARCADE) was given permission to extend his own remarks in the RECORD.

## EMERGENCY PRICE CONTROL ACT

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. LARCADE. Mr. Speaker, I have today introduced in the House of Representatives a joint resolution relating to the exercise of powers under the Emergency Price Control Act of 1942 and under certain other provisions of law, which, if enacted, would have the effect of taking away from the Administrator of the Office of Price Administration the powers under such provisions of law which have heretofore been exercised by such Administrator.

The resolution, however, reserves to the President the authority to designate by Executive order to such other officers or agencies of the Government such provisions of the law as he may deem necessary, having in mind, for instance, authority for the President to assign to the National Housing Authority control over rents and housing, this being necessary, in my opinion, to protect the war workers and migrants scattered all over the United States, until they can return to their permanent domiciles. It is not necessary for me to reiterate my reasons for this action at this time.

Mr. Speaker, reference to the CONGRESSIONAL RECORD for the past 3 years will disclose what I think about the Administrator and the administration of the Office of Price Control. I have been charged by some of the adherents of the OPA as having a personal grudge against the Administrator and the OPA.

In answer to this charge I will say that when I was first elected to Congress a meeting was held by the OPA in my district to discuss ceiling prices on rough rice. Rice is one of the principal industries in my district.

Notwithstanding that I was at first denied admission to the OPA meeting by the officials of the OPA in charge, I later defended the agency in an open meeting attended by between 1,000 and 1,500 of my constituents, telling them it was unfair to condemn the officials or the proposals of the agency until the agency could have an opportunity to demonstrate the need for the program. Their



ability to show the fairness and reasonableness in the administration of the program during the emergency caused by the war.

Mr. Speaker, I did give the OPA a chance, and to my amazement and disappointment, the whole outfit proved absolutely impossible, and had it not been for the fight made by myself and my colleagues, the OPA would have destroyed nearly all of the principal industries in my district and State, and even now are still continuing these efforts with respect to the sugarcane and fur industry in Louisiana.

Mr. Speaker, my district is one of the largest producers of furs in the United States, and information was furnished me from the American National Fur Breeders Association, through one of the citizens of Louisiana that, furs that had a ceiling price of \$1.77 in Louisiana, were selling in the black market in Boston and New York from \$15 to \$17 per pelt. Of course, this information was transmitted to the OPA.

Mr. Speaker, if damage and destruction to my constituents and industries in my district can be regarded as a personal grudge against the Administrator and the OPA, then I say a grudge of my constituents is a personal grudge by me, for, as their Representative in the Congress, I am the only one to whom they have to look for protection, and as long as I am here in the Congress, I propose to try to protect my constituents, their interests, and their industries, Mr. Chester Bowler or anyone else to the contrary notwithstanding.

Mr. Speaker, Mr. Bowles, Administrator of the OPA, criticizes the Members of Congress publicly and in committee for trying to safeguard the interest of the automobile dealers of the United States, and I will not enter into a discussion of this question as my colleague the gentleman from Louisiana [Mr. HEBERT] covers this matter, in my opinion, quite properly in an insertion in the CONGRESSIONAL RECORD of this date.

However, I do make the observation that if the 325 Members of Congress who oppose the machinations of Mr. Bowles with respect to his ukase of automobile prices, and so forth, desire to call the hand of Mr. Bowles, the joint resolution which I have introduced gives them a good vehicle so to do.

#### EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article by Thomas Lyons entitled "The Truth About Foreign Trade Zones"; and in the other to include a joint statement by himself and a colleague, the gentleman from New York [Mr. ROONEY].

#### PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 15 minutes today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that, following the gentleman from Wisconsin [Mr. KEEFE] today, I may be permitted to address the House for one-half hour.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of matters on the Speaker's table and other special orders, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that on tomorrow, following the gentleman from Michigan [Mr. WOODRUFF] I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include an address delivered at the opening session of the Thirty-second National Foreign Trade Convention, by James A. Farley.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in two instances and include with each certain articles.

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD and include an address delivered by herself at the Pulpit Forum, Peoria, Ill., on Sunday, November 4.

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD and include a statement by Dr. J. C. Stearns.

Mr. GORE asked and was given permission to extend his remarks in the RECORD and include a letter received by him.

Mr. HOCH asked and was given permission to extend his remarks in the RECORD in two instances, in the first to include a poem entitled, "Send Daddy Back to Me," by one of his juvenile constituents; and in the other to include a letter on universal military training.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. MORRISON asked and was given permission to extend his remarks in the RECORD and include a speech by Mr. Gallagher.

Mr. ARENDS asked and was given permission to extend his remarks in the RECORD and include an editorial from the Pittsburgh Press.

Mr. WOODRUFF of Michigan asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an article from the Progressive, entitled "The Atomic Jag."

#### AMENDING THE SHERMAN ANTITRUST ACT

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, I have just introduced a bill to amend the Sherman Antitrust Act so as to exempt from the provisions of the act all activities and operations of mutual news-gathering cooperatives. This amendment was made necessary by Marshall Field's suit against the Associated Press. The courts have rendered their decision in the case and have done their duty as they see it. As one commentator puts it:

It must be clear to Congress now that a law intended to protect the people against monopoly has a result never intended when it is applied to mutual news-gathering cooperatives, such as the Associated Press.

Because I agree entirely with that statement, I have introduced the bill to amend the Sherman Antitrust Act.

As a part of my remarks under leave already granted by the House, I include the following editorial on the same subject:

[From the Jersey City (N. J.) Journal]

#### ONLY CONGRESS CAN FREE ASSOCIATED PRESS FROM MARSHALL FIELD FETTERS

Marshall Field, one of America's richest men, publisher of the Chicago Sun, has the distinction of having succeeded temporarily in shackling the free press of the United States.

He may be expected once again to knock on the door seeking membership in the Associated Press. He should be unanimously voted down, if he does apply at this time. Here's why:

1. When he first applied for membership in the Associated Press he failed of election. A Chicago newspaper member in good standing objected to the election of Field's Sun on the grounds (as he was entitled to object under the bylaws then in force) that for many years the present members have expended millions of dollars to develop a news service which it would be unfair to make available to competitors of the present members in Chicago. Newcomers could buy news service from the United Press, or from Hearst's International News Service, or build up from scratch their own world news coverage (as the radio people have done to some extent). By Field's willingness to see his application and its denial used as a lever or crutch for an antitrust case against the Associated Press, Field has demonstrated his failure to see the value to our Republic of a press free from Government control.

2. A renewed attempt by Field's Sun to gain membership while the Associated Press is being run under the supervision of the courts would be proof that Field is willing to submit the management and news judgment of his Chicago Sun to the superior control of the Government. At the present time, as a result of the antitrust case arising out of the refusal to admit Field to membership, the Associated Press is a ward of the courts. It must submit to the courts some sort of bylaw satisfactory to the courts and then adopt such bylaw; or else, it must accept a bylaw written by the court for the Associated Press. This bylaw must prohibit a vote against any newspaper on the ground that admission would destroy the competitive advantage of members. How can even the wisest judges in the United States write a bylaw to do

that and still leave the Associated Press free? Field, being plainly out of sympathy with the fundamentals of a real free press in the United States, is just as plainly not a suitable person to admit to the membership of the Associated Press.

Field should know that any request by him for admission to the Associated Press has been freed by an act of Congress from restraint by the courts. If and when Congress relieves cooperative news-gathering organizations from application of the Sherman Anti-Trust Act, then will be time enough to consider a fresh application from Field, if he then wants to make such application.

The board of directors of the Associated Press is trying to comply with the order of the court by the second week in February. In the meantime the free press of the United States, which is the precious right of the people of the United States, must look to Congress for correction of the situation.

The courts have done their duty. They have interpreted the law and applied it to the Associated Press. It must be clear to Congress now that a law intended to protect the people against monopoly has a result never intended when it is applied to mutual news-gathering cooperatives, such as the Associated Press. It was further never intended to destroy the right of cooperatives to choose their members or to use for their own benefit the commodity—news—which they had bought with their own money and reported by their own efforts.

Cooperative news-gathering organizations should be exempted from the application of the anti-trust laws. Proper legislation enacted before the end of the year would relieve the court of a duty which must be distasteful, namely, trying to run the free press from the bench, and would restore to the people confidence that the report of the world's and the Nation's news is free from control by the Government.

#### OPA PRICING POLICIES

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HARTLEY. Mr. Speaker, about 3 weeks ago a select committee of the House, empowered to investigate executive agencies, filed a report pointing out certain defects in the pricing policy of OPA during the reconversion era.

There has been set up room 215 of the Old House Office Building an exhibit which tells this story better than a thousand speeches. If you want to see what is happening to the 1,700,000 retailers throughout the United States, if you want to learn why low-priced commodities are disappearing from the shelves, if you want to know why the consumer is paying more for an inferior product, I urge you to inspect this exhibit, 215 Old House Office Building, at 10 o'clock in the morning until 2:15 in the afternoon, today, tomorrow, and Friday.

The SPEAKER. The time of the gentleman from New Jersey has expired.

#### OPA AUTOMOBILE PRICE POLICY

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, Chester Bowles appeared before the Small Business Committee of the House yesterday and tried to cover up his incompetency to deal with pricing automobiles by accusing dealers of putting pressure on him. He did not in the slightest degree attempt to justify his method of pricing because it was right. The dealers, when they presented their case, based it upon what was the right thing to do. Never in the world will be able to have any continuance of price control on a racketeering basis such as Mr. Bowles has been trying to create. He is hiding behind an allegation of pressure to escape facing the issue and doing the right thing.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, yesterday we witnessed what I think is one of the most amazing things that has ever taken place in the Nation's Capital. I am talking now about Chester Bowles, who sets himself up as a supergovernment and who practically tells Congress that he is going to disregard any suggestions from this branch of the Government. He tells the automobile dealers that he does not want to be bothered with them, and he goes to great lengths running the affairs of the United States, the world, and everything else combined.

Mr. Speaker, I want to know, and I want to put myself on record, I want to know what the Committee on Small Business has done, what they are doing, and what they are going to do for the benefit of the retail dealers in automobiles and trucks in connection with the hearings that have been held.

Mr. Speaker, when I learned that the retail dealers in automobiles and trucks would have a hearing here in Washington, D. C., on November 8, before the Select Committee on Small Business of the House of Representatives, I called the attention of the Members of the House of Representatives to this hearing before the Committee on Small Business on November 8. My remarks will be found in the Appendix of the CONGRESSIONAL RECORD on page A4756, and I stated that I expected to make an appearance before the committee hearing the next day.

I did make an appearance at those hearings in the House Office room and presented a statement to the committee for the records of the hearings. Following the committee hearings, I was present in the House of Representatives and again addressed the House in connection with the hearing, at which numerous representatives of the retail automobile and truck dealers were present, as well as men from various parts of the country who represented their industry. My remarks will be found on page 10534 in the CONGRESSIONAL RECORD for Thursday, November 8.

Those hearings were continued, and yesterday Chester Bowles, Administrator

of the Office of Price Administration, announced that he was not going to give any relief to retail dealers in automobiles and trucks, and that his original plan to have the retail dealers absorb the increased price of these vehicles, which the manufacturers will be permitted to charge, passed on to the retail dealers, would be carried out. Mr. Bowles announced that the Office of Price Administration would reject the demands of the automobile and truck dealers, that the retailers were just a bunch of bad boys because they were trying to influence the OPA. This episode of conducting these hearings has been and is, more or less, a sham performance, with some variations that remind me of what happened to a group of milk dealers here in Washington, I think in 1943. They had met with the OPA officials in an effort to find out how much they would be allowed to charge for milk during the coming season. They conferred all day and then were nonchalantly told that there was no big hurry about it—that the summer production would not take place for some 3 or 4 months. Later, on that same day, regulations were promulgated and one milk producer remarked to another that the whole thing had been cut and dried and that the Government officials really paid no attention to the milk producers.

In the case of the retail dealers in automobiles and trucks, there was a slight variation because these men came to Washington and made a sufficient impression to have the Office of Price Administration postpone its proposed program for a few days. It looks as though, however, that the trip of these automobile and truck dealers and their representatives here has not accomplished anything. I am not taking seriously Mr. Chester Bowles' statement that these fellows are lobbyists and that they have no business coming down here to use pressure methods. This is still a free country and people who have their livelihood depending on some Government regulations still have a right to be heard. In the lobby of the House smoking room this afternoon, one Member commented about a conversation he had with a retail dealer. The retail dealer told him that as long as the OPA was going to deny relief, then they were going to put the responsibility for the OPA misdeed squarely on Members of the House of Representatives. I welcome my share of the responsibility because I voted against continuance of the OPA when that measure was before the House last June. I said then, and I want to repeat now, that this outfit is no good and some other agency, composed of competent men, should be placed in charge of the price control question.

Now, Mr. Speaker, let us keep the record straight.

Question 1. Why did the Committee on Small Business hold these hearings and invite the retail automobile and truck dealers?

Question 2. Now that the hearings have been held, what is the Committee on Small Business going to do about the matter?



Question 3. Is the Committee on Small Business going to sponsor legislation that will give relief to the retail dealers of automobiles and trucks?

Question 4. Does the committee expect to have a bill introduced and then have committee hearings and get the bill reported on the floor of the House of Representatives for action?

Question 5. If the committee succeeds in the foregoing, will it ask the Rules Committee for a rule so it can vote on this legislation?

These are just a few questions that I want answered and the retail automobile and truck dealers want them answered, too. They know that we have a party system of Government and that the Democratic majority can take all of these steps I have indicated and give the Members of the House an opportunity to vote for or against legislation to help the retail dealers in automobiles and trucks. Are they going to do it?

It would be well for interested people all over the country to check up with their Representatives in Congress and get the answers to these questions, and then follow through and see what the Committee on Small Business does that will bring about these practical results.

The SPEAKER. The time of the gentleman from Minnesota has expired.

#### FUTURE OF RUBBER

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a news release.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, rubber was one of our most critical materials during the war years. American ingenuity arose to the emergency in providing synthetic rubber in abundance from grain alcohol and petroleum.

#### GUAYULE NATURAL RUBBER

We also developed the growing of the guayule shrub and now have 30,000 acres of 2-year-old shrub now approaching the maximum rubber content for economical production, and should be maintained to complete its natural cycle of 4 to 5 years to determine its economic value as an American crop for natural-rubber production. In my opinion, the 30,000 acres we now have should not be destroyed, but arrangements should be made for private industry to complete this promising source of natural rubber through sale or contractual arrangement. Why destroy a crop of 25,000,000 pounds of rubber now growing in the fields?

I commend the very fine statement just released last Friday by Mr. John L. Collyer, president of the B. F. Goodrich Co., and former rubber director, on his analysis of the rubber future. In my opinion, his judgment is sound when he recommends maintaining the stand-by synthetic rubber plant capacity and also alcohol rubber plants to be maintained for possible use of distressed farm products.

The following is the statement of Mr. John L. Collyer:

AKRON, OHIO, November 9.—Decisions must be shaped now which will attain the goals of military security and a solution of the coming rubber-surplus problem, John L. Collyer, president of the B. F. Goodrich Co. and former special director of national rubber programs declared here today.

He emphasized that because of the supply of natural rubber will be at first a mere trickle, a year or more remains during which sound and constructive rubber policies can be adopted.

In making public a new analysis of the world rubber situation, the eighth in a series prepared by his company, Collyer said, "We must not fail to prepare now for our continuing military security, and for a wise solution of the surplus problem which will result from an estimated potential world capacity of 3,000,000 tons of natural and synthetic rubber."

"The magnitude of this coming surplus problem is indicated by estimates that annual world consumption will be approximately 1,500,000 tons," he pointed out.

"The time for shaping decisions is now," the company's analysis states, listing as "keys to an enlightened rubber policy for the United States and for the world," three considerations:

1. Military security;
2. Greatest consumer value; and
3. Expansion of rubber uses through low and stable prices.

The analysis cited the active study that has been under way for more than a year by the rubber-study group of the Governments of the Netherlands, the United Kingdom, and the United States, and noted that more recently the Director of War Mobilization and Reconversion has appointed a Government interagency policy committee on rubber which has the assigned task of studying problems and making recommendations of United States policy.

"Military security must rest on a legislated program—one chosen by an informed American people acting through their elected representatives in Congress," Collyer said, "and greater consumer value and expanded rubber uses will come most quickly from free individual initiative, unhampered by artificial restrictions and controls."

"To insure military security, we believe our Government should maintain a total stand-by general-purpose synthetic rubber production capacity of 600,000 to 700,000 tons a year in plants kept in condition and ready to run."

"From this capacity we recommend a minimum production and use of 200,000 or more tons a year of general-purpose synthetic rubber, regardless of economic factors," Collyer stated.

The B. F. Goodrich Co. president said that, after assuring military security by establishing a stock pile of natural rubber and maintaining production of synthetic rubber, the next consideration should be to supply consumers with the highest-quality products at the lowest economical costs.

"The choice of materials beyond the 200,000 to 300,000 tons of military synthetic—which includes the probable annual production of approximately 100,000 tons of special-purpose synthetic rubbers—should be left to the unrestricted play of economic forces," he said.

"It is estimated that for the next 5 years America's rubber needs will average 825,000 tons a year, or about 25 percent greater than in 1940. Thus, there will be left an average of 525,000 to 625,000 tons a year, or a high prewar total rubber-consumption level, where the choice of materials should depend upon competition."

"The reality of low-cost, high-value American synthetic rubber is the pivot on which

postwar rubber developments will turn," he stated.

"A prime objective of natural-rubber producers should be to regain through their price policies such a sizable share of the world rubber market as is needed to sustain their economies and to make possible rising standards of living in the rubber-growing territories."

"If many nations with presently lower standards of living are to expand their use of rubber, its price must be low," he said. "To this end, the earliest possible establishment of a Far East price of around 12 cents or less (United States currency) a pound for natural rubber would assure efficient rubber growers a reasonable advantage in the face of competition with low-cost synthetic rubber, as well as a reasonable return on their plantation investments."

"However, there must first come a period when the plantations are resuming production. At the outset the price might well be the 18½-cent (United States currency) level at which rubber was sold in the Far East during the prewar period when we were building emergency stockpiles while the war clouds were gathering, and before synthetic rubber had become an active threat to natural rubber prices."

Collyer forecast that, compared with the estimated future per capita consumption of 14 pounds of rubber annually in the United States for the years 1946-50, the average for the rest of the world for the same years is estimated at but eight-tenths of a pound.

"If the average annual consumption of the rest of the world could be expanded to only 2 pounds per capita, an extra 1,000,000 tons of rubber would be consumed each year," he pointed out.

Collyer stated that continued improvements in the quality of synthetic rubber will come at a rate induced by the intensity of competition, and that industry should be put on its mettle to speed this progress.

He recommended that the 600,000 to 700,000 tons of maintained United States capacity include the low-cost plants and suggested 25,000 tons of alcohol process capacity as insurance of continued development of rubber from distress farm products.

In his analysis it was pointed out that the armed forces in the first half of 1945 were using rubber at the rate of 550,000 tons a year, and the recommendation was made that they use many of the synthetic rubber products manufactured in peacetime, as they might have to do in times of national emergency.

Mr. Collyer's analysis estimated potential American synthetic rubber capacity at 1,000,000 tons annually, and that of countries outside the United States, including Canada, Russia, Germany, and others, at 400,000 tons annually.

It was estimated that the world's natural rubber productive capacity would be 1,600,000 tons annually if all sources were utilized. Most recent reports indicate that 90 percent or more of the trees in the Far East are intact, it was stated. The large labor forces have been scattered, however, and time will be required for recruiting and training replacements. Also much of the equipment needed in the preparation of natural rubber must be repaired or replaced.

#### EXTENSION OF REMARKS

Mr. JENNINGS asked and was given permission to extend his remarks in the Record and include a statement by himself appearing in the Knoxville News-Sentinel and other papers, and an editorial from the Knoxville News-Sentinel.

Mr. PITTENGER asked and was given permission to extend his own remarks

in the RECORD in connection with a consumer's interest and merchant's interest in OPA and include a newspaper item.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and to include extraneous matter.

Mr. RIZLEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement of Republican principles in the State of Arizona.

Mr. JONKMAN asked and was given permission to extend his own remarks in the RECORD and to include an editorial.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SLAUGHTER. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative business and subsequent to any special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### OPA PRICE POLICIES

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, I read the following in the morning's paper:

OPA admitted that some manufacturers are finding it difficult to produce essential goods at current ceiling prices "unless they are willing to operate at very low margins or even at a financial loss."

By upping the profit allowed on lower-cost goods, OPA is following a procedure it tried out first when setting reconversion prices for radios—that of giving a bigger increase in the lower brackets than in the higher.

Such is the philosophy and inefficiency of the OPA. Those who want and can afford to pay for the best have their prices kept down, but the ordinary people who want the ordinary run of goods have their prices raised.

Raising of prices is of course necessary with increased costs of labor and materials. But why place the burdens only on those who are least able to bear them? Confusion and chaos?

The SPEAKER. The time of the gentleman from Michigan has expired.

#### RETURN OF OUR MEN IN THE ARMED FORCES

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, nearly every day you read in the papers of articles telling how United States vessels are carrying French colonial troops to Indochina, Japanese war prisoners back to Japan, and similar news items. You also

read of the vessels of all types stationed in our harbors, both at home and abroad. Yet thousands and thousands of servicemen, already long eligible for discharge, as well as men with long periods of overseas service, who should be relieved and returned, are stranded in both the Atlantic and Pacific theaters. This sad condition should never have occurred in the first place. Since it has happened it certainly must be remedied rapidly. The brutality and injustice of all this is having an effect on the men overseas and their families here at home, which will have a far-reaching and long-lasting bad influence on our Nation.

Let me quote two recent letters. The first one is from an officer on Okinawa, who says:

Tacloban, the port which I work every day, is the second largest depot and port from which soldiers in the Pacific will be returned. I know the situation here. We were scheduled to load 27,000 personnel for the States during October. To date less than 2,000 have been shipped. We have men with more than 100 points who have been waiting for 6 weeks for transportation. Some places men in divisions with only 60 points are on their way home with their units.

Believe me, it is not because the shipping is not available that the men are not getting home. They won't let us use the available ships. I can cite dozens of cases where ships have gone home empty. The Army will not let us put troops aboard. If Congress only knew the real facts instead of the bold-face quasi facts which they know, the kettle would blow up. The entire system is rotten and everyone here is completely disgusted by the statements of the War Department and of certain individual "brass hats."

This one is from an enlisted man also on Okinawa:

I can't see why they can't get the men back to the States a bit faster. You see here at Okinawa there are about 150,000 men, but there are about 2,000 ships out in the bay and harbor, just laying out there, so the problem cannot be transportation.

These letters are typical of many others. If the Army, Navy, and merchant marine could solve the supply problems of war, as they did, there is no excuse for not solving this one at once.

#### EXTENSION OF REMARKS

Mrs. LUCE asked and was given permission to extend her remarks in the RECORD in two instances, in one to include several editorials on our foreign policy and in the second a GI letter.

#### ADDRESS OF THE PRIME MINISTER OF GREAT BRITAIN

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, yesterday the Congress of the United States established an important milestone in the history of this Nation. The two Houses sitting in joint session listened to the Socialist Prime Minister of Great Britain, Mr. Attlee, deliver a speech knowing that one of the important objects of his sojourn in the United States

is to secure funds to exterminate private ownership of property in his country, which we are fighting a life and death battle to save in our own. My seat was vacant on that occasion.

#### EXTENSION OF REMARKS

Mr. SMITH of Ohio asked and was given permission to extend his remarks in the RECORD and include a radio speech he delivered yesterday.

#### THE LATE JAMES W. MOTT

Mr. BRUMBAUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRUMBAUGH. Mr. Speaker:

Leaves have their time to fall,  
And flowers to wither at the north-wind's breath,  
And stars to set;—but all,  
Thou hast all seasons for thine own,  
O death!

The announcement of the untimely death of our beloved colleague Hon. James W. Mott, of Oregon, has proved a source of profound sorrow to me and to his beloved wife and children I extend my sincere expressions of deepest sympathy.

Although a Representative in Congress from the State of Oregon the deceased was a native of the congressional district I have the honor to represent in Congress, having been born in New Washington, Clearfield County, Pa., November 12, 1883. It is a coincidence that his busy and fruitful life terminated on the sixty-second anniversary of his birth.

Residents of Clearfield County, Pa., have been pardonably proud of their native son who after adopting Oregon as the State of his residence proceeded to justify the confidence expressed in him by his countless friends and admirers in Oregon who showed their appreciation for his genius and strength of character by electing him to positions of trust that culminated in his election to Congress in 1933.

One of the happiest recollections of my first days as a Member of Congress is the bond of affection that developed between us when Representative Mott learned that I was elected to Congress from the Blair-Centre-Clearfield District of Pennsylvania. I found in his kindly disposition and wise counsel a fountain of helpfulness during my early days in the House of Representatives.

Within the past few weeks I exchanged correspondence with him while he was convalescing at the Bethesda Naval Hospital and I had eagerly looked forward to his complete recovery and early return to his congressional duties. His sudden passing was a distinct shock to me for he had expressed confidence that he would recover his health and resume his daily routine within a very short time.

The passing of such a distinguished colleague and personal friend recalls the uncertainty of life and is a timely



admonition to all of us to remember the words of the poet Bryant:

So live, that when thy summons comes to join

The innumerable caravan, which moves  
To that mysterious realm, where each shall take

His chamber in the silent halls of death,  
Thou go not, like the quarry-slave at night,  
Scourged to his dungeon, but, sustained and soothed

By an unfaltering trust, approach thy grave,  
Like one who wraps the drapery of his couch,  
About him, and lies down to pleasant dreams.

I shall miss kindly, genial Jim Mott, whose friendship was not only a treasure to me but a source of inspiration. It is my fervent prayer that God may comfort his loved ones in the great loss they have sustained in being deprived of the affection and companionship of a loving husband and a devoted father.

#### PALESTINE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, in the right-hand column of the front page of this morning's Washington Post is the following item in a box that I think should be called to the attention of the House:

#### STATEMENT WITHHELD ON AMERICAN REQUEST

Frederick Kuh, Chicago Sun correspondent in London, reported last night that it was "common knowledge among foreign diplomats in London that the postponement" of Foreign Minister Bevin's Palestine statement during the past 3 weeks occurred at the request of the United States Government, which desired to avert undue influence on the New York mayoralty election. Apparently, it was felt in Washington, Kuh said, that Bevin's policy would arouse strong Jewish resentment and might affect the election.

I am sorry that politics is being played with this great issue.

#### THE LATE JOHN C. SPEAKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I know that you all share the profound sorrow which I feel at the death of Hon. John C. Speaks, who represented the Twelfth Congressional District of Ohio from 1920 to 1930. His passing was announced by my colleague, Hon. CLIFF CLEVENGER, on this floor last Wednesday. I was out of the city at the time but was able to attend his funeral, where tributes from the community showed the affection and esteem of his friends.

General Speaks was 86 years old at the time of his death. He was born in Canal Winchester, Ohio, in Franklin County, the district in which he lived all his life, which he served in Congress, and where he died. He was in the milling and lumber business, then was later fish, game,

and conservation officer of Ohio. He was a member of the Ohio National Guard for 40 years, advancing from private through grades to brigadier general. He was a major in the Fourth Ohio Volunteer Infantry in the Spanish-American War, participating in the Puerto Rican campaign; he commanded the Second Brigade of the Ohio National Guard on the Mexican border in 1916; and commanded the Seventy-third Brigade of the Thirty-seventh Division from the call of troops in World War I until March 1, 1918. He was a thirty-second degree Mason, a Knight Templar and Shriner, and a member of the Knights of Pythias. He was a great Methodist. He was a member of Rotary.

He was a member of a distinguished family, and his own children have carried on this fine heritage. His brother, Oley Speaks, noted music composer, is the last surviving member of 11 children. General Speaks left three sons—Charles, of New York, vice president of the Milk Industry Foundation; Lt. Col. Stanford Speaks, of the Allied Control Commission in Germany; and Lt. Col. John Speaks, recently separated from the Army and now associated with the Government in Washington. His daughter, Margaret Speaks, is a famous radio and concert soprano. His grandson, Pvt. John C. Speaks III, is carrying the Speaks military tradition into the third generation.

Here in Congress he served as a member of the Military Affairs Committee. He won the respect of his colleagues by his unswerving integrity. Those of you who served with him will, I know, regret his passing and join me in sympathy to his bereaved family.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, it was my privilege to serve in the One Hundred and Sixty-sixth Infantry with Gen. John C. Speaks, and later to serve with him as a member of the Committee on Military Affairs of this House. General Speaks was a great soldier. He was a distinguished citizen and an able statesman, who served his Nation with devotion in war and in peace. The country was fortunate that he lived so many years. No words of approbation can adequately describe the life and service of Gen. John C. Speaks of Ohio. His record will stand forever as a monument to him. He was an honor not only to the State of Ohio but to America and the cause of good citizenship everywhere has been enriched by his life.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Michigan.

Mr. MICHENER. I, too, served with General Speaks. He was a most unusual man, one of the outstanding men of his day in the Congress, always efficient, capable, honest, and dependable. I am sure the State of Ohio has lost a real

man. He lived such a life that he has left a splendid heritage to his family.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I want to join my colleagues in paying tribute to this great American who has passed away. He served in this body with honor and distinction. He served his country as a soldier on the field of battle and he was ever a powerful force for virile Americanism. A fine citizen has died and our sympathy goes to his family and especially to his two children who have won wide recognition in the musical world.

Mr. REECE of Tennessee. There is no finer example of a true American anywhere than Gen. John C. Speaks of Ohio, my friend and benefactor on many occasions.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. I, too, had the great privilege and honor of serving with General Speaks. I remember his many fights for national defense. He was tireless in behalf of having our country prepared. I know his sterling integrity and his great character.

#### PARLIAMENT PROCEDURE

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, those who visited other countries during the summer recess had the opportunity of visiting the parliaments of those countries and noticed the opportunity that a member of parliament has. He may summon any department head or any person in a department before that parliament. He may cross-examine him. A minister of transportation was cross-examined and asked this question: "Why are the trains late?" Cases like this frequently occur in England. There are only 435 Representatives in Congress, meaning that there are only 435 persons in the United States out of a total of 3,700,000 civilians on the pay roll that you can hire and fire every 2 years. There are only 435 direct representatives of the people, and yet they cannot summon any person of all this great army of Federal employees before this body. When a department head turns down a Congressman he is turning down "We the people," the man who is responsible to the people. Those on the Federal pay roll who are not responsible to the people but are safely secure by civil-service tenure (they do not have to come before the people every 2 years—they cannot even be removed for cause if they are New Dealers) may blunder—they may refer you to others instead of doing their work. In spite of this, the Congressman is blamed for the blunders of these appointed politicians because he alone acts for and is responsible to the people.

In view of these facts, should not these appointed politicians be responsible to the statesmen chosen by the people.

OPA

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend by remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, yesterday I sat in on the hearing before the Committee on Small Business when Chester Bowles read that lengthy brief of his. When he had concluded, of all the hundreds of people present, there was not one bit of applause. It was then that the chairman of the committee announced that applause was not permissible, but 5 minutes later, under the cross-examination by one of the committee members the gentleman from New York [LEONARD W. HALL], the House split the roof with applause. Certainly the chairman of that committee missed the boat.

#### UNKNOWN SOLDIERS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article from the Boston Advertiser on Armistice Day.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, several weeks ago I introduced a resolution which provided for the bringing back of two unknown warriors, one of the unknown to be from the Pacific and one from the Atlantic. I read in part this article:

A new memorial is in order and it is appropriate to bring home for similar tribute two of our unidentified dead of World War II—one from the Pacific war and one from the Atlantic theater. For these were in reality two wars, each more terrible than any in history and one fought beyond the span of the other.

Mr. Speaker, I have had so many letters of approval and suggestions from the families of these servicemen giving their complete approval. I feel that there could be no possible objection, in fact nothing but approval. I know that all of us would like to go to Arlington Cemetery and pay our tribute at the tombs of the unknown warriors. My bill has the wholehearted endorsement of the American Legion as indicated by a letter written by Col. John Thomas Taylor, which is in the CONGRESSIONAL RECORD of October 11.

The article above referred to is as follows:

#### TOMB OF THE UNKNOWN WARRIORS

The Tomb of the Unknown Soldier is our national memorial to our American dead of World War I.

It is time now to consider a memorial as beautiful and as inspiring to our nearly 300,000 dead in the war recently ended.

The white marble Tomb of the Unknown Soldier stands silhouetted above the trees in our national cemetery at Arlington, Va., bearing the simple inscription: "Here Rests

in Honored Glory an American Soldier Known But to God."

None but God knew the identity, the race, the religion of this soldier brought home from France a quarter century ago to "rest in honored glory"—a symbol of all who gave their lives for our country. As he became a symbol so did his tomb become a shrine, and there over the years America has paid tribute and the families of our hero dead have found consolation in prayer.

A new memorial is in order and it is appropriate to bring home for similar tribute two of our unidentified dead of World War II—one from the Pacific war and one from the Atlantic theater. For these were in reality two wars, each more terrible than any in history and one fought beyond the span of the other.

We believe the men who fought on these two battle fronts and the families of the men who died on these battle fronts will wish this distinction made.

It would also seem appropriate to erect the Tomb of the Unknown Warriors rather than another Tomb of the Unknown Soldier. In this way all branches of our armed services will be symbolized. For our dead of these latest conflicts, sleeping now in the far lands and alien seas, were members of all branches—Army, Navy, Marines, Coast Guard, and the Air Corps of each service—warriors all.

#### FEDERAL EXPENDITURES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, we hear a great deal of criticism now about the operations of various branches of the Government. I call your attention to the Treasury statement of November 8, showing that we are in the red \$262,873,750,184.35. I want to know where you are going to get the money.

Mr. Speaker, we talk about everything and we prepare and get things all ready to put on a great big spending spree. Not only for our own Government, but for most of the governments of the world. Some of the governments want from the United States five billions and six billions of dollars as a gift or loan. From the condition of our own Treasury, can we do it? Then for weeks at a time here we appropriate and appropriate and appropriate, and do not give any attention to where we are going to get this money. You, the majority, as Congressmen are responsible for that condition because you made these appropriations out of any moneys in the Treasury that are unexpended, but you will find there is no money there. It is like Old Mother Hubbard's cupboard. We must have a sound, sane, sensible administration of our Government from here on or our Nation will be ruined financially or on the road to bankruptcy.

#### EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from a GI to his brother in my district. This soldier opens up his heart in telling what he thinks of the loss of time in getting GI Joe back home. I want you to read this letter. The Willie he refers to in his

letter is his wife. In the name of all that is good, let our Nation exert every influence to return the boys. "There is no place like home."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### OFFICE OF PRICE ADMINISTRATION

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I attended a meeting called by the Small Business Men's Committee to support all reasonable requests—and they have reasonable requests—of the automobile dealers. I believe that is going to work out. But this condemnation of the OPA is wrong. There are lots of shortages in this country, and if the shortages continue and price ceilings are let out, the price of sugar alone would go to \$2 a pound.

#### EXTENSION OF REMARKS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article written by the Presbyterian minister of my home town, Washington, N. C., on the subject of peacetime military training.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOGARTY asked and was given permission to extend his remarks in the RECORD and to include therein an editorial from the Providence Journal of yesterday.

Mr. SUMNERS of Texas asked and was given permission to extend his remarks in the RECORD.

Mr. COLMER asked and was given permission to extend his remarks in the RECORD and include an article by David Lawrence on the truth about Germany.

#### HON. CHESTER BOWLES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, it has been charged, but I do not know whether it is true or not, that Mr. Bowles is a Republican. I cannot believe it because he is too good a man to be such. I know that he is intelligently and persistently trying to save the country from inflation, which is always destructive.

Also, I know that every industry is trying to obtain higher and still higher prices. Mr. Bowles' aim is to protect the consumers, all the American people, and the country. I do not know whether, if the gentleman from New York, the gentleman from Minnesota, or the gentleman from Pennsylvania, were placed in Mr. Bowles' position they could do as well as he has done and is doing. I doubt it very much.



Mr. Speaker, I know from the large number of communications, telegrams, and telephone calls which I have and am receiving that there is tremendous pressure upon the Price Administrator from manufacturers in most every line to bring about a removal of price ceilings. This despite the millions in profits they have made and are deriving under the present price ceilings. I do not know of a single industry that is not using all the influence that it can command to obtain higher and higher prices for its products and this applies to agriculture as well, notwithstanding the reports of two investigations which have been made under the direction of two outstanding Federal boards showing that the industries could absorb an increase of 24 to 25 percent in wages and still enjoy profits equaling and exceeding those derived before the war. Mind you, these are not reports of labor organizations, but the studied and careful reports made upon the findings of the War Production Board and the War Reconversion Board.

Mr. Speaker, the gentlemen who are continuously assailing the Office of Price Administration and demanding the removal of price ceilings would be the first to complain and criticize should inflation get out of hand. They only hear the blatant protests of manufacturers and producers who are seeking greater profits, and it seems to me that they ignore the condition of the wage earners, of the 20,000,000 white-collar workers, of the several millions of persons who are living on annuities, pensions, and fixed incomes, including retired school teachers, firemen, policemen, municipal, State, county, and Federal employees, and, last but not least, our pensioned disabled veterans and their dependent families, and the hundreds of thousands of wives, children, and dependents of our servicemen and servicewomen who are still in service, whose allotment checks will not be sufficient to properly care for them if there is a further increase in the cost of living. What consideration have the gentlemen who clamor for the removal of price ceilings given to these deserving classes of our citizenry? Do they contend that these millions of people can afford to pay an increase in prices for clothing, foodstuffs, and rents?

Every honest man and woman will admit that the wage earner in the lower brackets, the white-collar worker, the 12,000,000 persons having an income of less than \$1,300 per year, the disabled veterans' and dependents' families, and the dependent families of those serving under our flag are finding it a terrible struggle to exist due to the high prevailing prices.

Mr. Speaker, just this morning I interviewed 20 women representing various organizations from every section of the country. I am informed that later this afternoon that 500 women of these organizations will meet this afternoon to protest against the removal of certain price ceilings. This representative group of women are keenly cognizant of the welfare and of the conditions affecting the 20,000,000 of our citizens who cannot stand an increase in the cost of living, especially of food, clothing, and

housing rentals which alone takes up over 60 percent of their incomes. I commend these women in their protest against the removal of certain price ceilings. Unfortunately the low-income group have no lobbyists, lawyers, or representatives to send to Washington to present their cause or to exercise influence or threats such as the pressure groups who are seeking greater profits by the removal of price ceilings.

Mr. Speaker, I observe that the staunchest advocates of the removal of price ceilings are also those who have attacked organized labor. It appears to me in this connection that it would be to the advantage of the 20,000,000 of our people in the low-income group to organize to let them know how they feel with respect to the removal of price ceilings and on the matter of inflation and that their interests should not be ignored.

In conclusion, Mr. Speaker, I want to reiterate that I am of the opinion that Mr. Bowles is endeavoring to do a good job. While I have not agreed with all his activities, I know he is trying, and by the eternal I believe we should cease criticizing an able and honest man who is exerting his every effort in accomplishing a very necessary, important job.

The SPEAKER. The time of the gentleman from Illinois has expired.

LET US BRING AN EXTRA MILLION SERVICEMEN HOME BY CHRISTMAS, WITH MILLIONS MORE TO FOLLOW—SIGN PETITION NO. 9

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, as I said before, the only chance to get these men home who are now serving in the armed forces, and who deserve to come home, is through an act of Congress.

Men are being kept in the service who are badly needed at home to look after their loved ones at home, as are thousands of young men who need to return to school. That is destroying their morale and killing their desire to go to school at all, and probably ruining their future careers. We have untold thousands of men who have been in the service for 18 months or more, many of them men of middle age, who need to come home and resume their various activities. The only way to get them home is by an act of Congress. For that reason, I have filed petition No. 9 at the Clerk's desk to bring my bill up for that purpose. I am going to oppose any 3-day adjournment of Congress until we get a vote on it.

By the passage of this measure we can bring an extra million of these men home by Christmas, with millions more to follow.

The SPEAKER. The time of the gentleman from Mississippi has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that I may address

the House for 30 minutes on Monday after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PETITION NO. 10—DEMobilIZATION OF THE ARMED FORCES

Mr. FOLGER. Mr. Speaker I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Speaker, I rather think that the men who are suffering in the flesh about these boys staying out of school ought to get together. I want to announce that I have discharged petition No. 10 at the desk to bring H. R. 4155 up for consideration by this body. Mine differs from some of the other bills in that I require the discharge of these men under 21. Then, if they want to reenlist, that is all right. Some of the others put it on the basis of an application. I have found many times that those applications are lost. I would ask that the membership of the House give consideration to H. R. 4155 which would also discharge men with families and one or more children. I think we had better reestablish our family life in this country.

The SPEAKER. The time of the gentleman from North Carolina has expired.

EXTENSION OF REMARKS

Mr. DE LACY asked and was given permission to extend his remarks in the Record and include a short letter.

OPA PRICING POLICY

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, I also attended the meeting held by the Small Business Committee at which the pressure campaign of the automobile dealers was put on, to try to force OPA to grant higher prices for automobiles.

I was astonished to hear the gentleman from New York [Mr. TABER], say he could not understand the simple procedure and the method which the OPA has used to base its price, and to call upon dealers to absorb a certain portion of the costs so that they shall not be passed on to the consumer. OPA is guaranteeing the auto dealer a 15-percent profit. I would like to go into a business where I could count on a 15-percent profit next year. That is a pretty fair deal, especially when the dealers' own figures show they made only a realized profit of somewhat over 11 percent during prewar years.

The SPEAKER. The time of the gentleman from Washington has expired.

MR. AND MRS. JOHN T. WEBB, SR.

Mr. McGEHEE, from the Committee on Claims, submitted the following conference report and statement on the bill (S. 784) for the relief of Mr. and Mrs. John Webb, Sr., which was referred to the House Calendar and ordered to be printed:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 784) entitled "An act for the relief of Mr. and Mrs. John T. Webb, Senior", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: In lieu of the sum inserted by the House in line 6 of the bill, to-wit "\$6,519.95" insert the figures "\$7,019.95"; and the House agree to the same.

DAN R. McGEHEE,  
FRANK E. HOOK,

*Managers on the Part of the House.*

ALLEN J. ELLENDER,  
JAMES M. TUNNELL,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 784) for the relief of Mr. and Mrs. John T. Webb, Sr., submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying report:

The bill as passed the Senate appropriated the sum of \$7,519.95 to Mr. and Mrs. John T. Webb, Sr., for the death of their sons, John T. Webb, Jr., and Henry P. Webb, as the result of an explosion of a rocket projectile through the negligence of United States military personnel and (2) for reimbursement of funeral expenses incurred by them on account of such deaths.

The House reduced the amount to \$6,519.95, and at the conference a compromise of \$7,019.95 was agreed upon.

DAN R. McGEHEE,  
FRANK E. HOOK,

*Managers on the Part of the House.*

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill, S. 784.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the title of the bill.

The Clerk read the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

G. H. MOORE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1015), an act for the relief of G. H. Moore, of Butler, Taylor County, Ga., with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out all after "appropriated," down to and including "was" in line 9 and insert "(1) to G. H. Moore, the sum of \$1,081.50; (2) to Mr. A. J. Moore, the sum of \$500; and (3) to Mrs. A. J. Moore, the sum of \$500, all of Butler, Taylor County, Ga., in full settlement of all claims against the United States arising out of the injury

of G. H. Moore and Mr. and Mrs. A. J. Moore when the car in which they were."

Amend the title so as to read: "An act for the relief of G. H. Moore and Mr. and Mrs. A. J. Moore."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

#### FLORIDA RHONE BURCH

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2545) for the relief of Florida Rhone Burch, together with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 5, strike out "Florida Rhone Burch" and insert "the estate of Donald Rhone."

Page 1, line 7, strike out "her son," and insert "the said."

Amend the title so as to read: "An act for the relief of the estate of Donald Rhone."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### RUFUS A. HANCOCK

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2578) for the relief of Rufus A. Hancock, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, COMES, and RAMEY.

#### ESTATE OF PETER G. FABIAN

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1890) for the relief of the estate of Peter G. Fabian, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, HEDRICK, and BYRNES of Wisconsin.

#### ESTATE OF GEORGE O'HARA

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 90) for the relief of the estate of George O'Hara, with a House amendment thereto, insist on the House amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mis-

issippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, STIGLER, and COLE of Kansas.

#### SAUNDERS MEMORIAL HOSPITAL

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 693) for the relief of the Saunders Memorial Hospital, with a House amendment thereto, insist on the House amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, COMES, and JENNINGS.

#### ELMIRA AREA SOARING CORP.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 842) for the relief of the Elmira Area Soaring Corp., with a House amendment thereto, insist on the House amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, STIGLER, and COLE of Kansas.

#### RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication which was read by the Clerk:

NOVEMBER 14, 1945.

HON. SAM RAYBURN,  
The Speaker.

MY DEAR MR. SPEAKER: I herewith tender my resignation as a member of the standing Committee on Military Affairs, to take effect immediately.

Sincerely yours,

CLIFFORD DAVIS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

#### ELECTION TO COMMITTEE

Mr. COOPER. Mr. Speaker, I offer a privileged resolution (H. Res. 400) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the following named Member be and he is hereby elected a member of the following standing committee of the House of Representatives: Committee on Flood Control, CLIFFORD DAVIS, of Tennessee.

The resolution was agreed to.

#### EXTENSION OF REMARKS

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD further in connection with irrigation in Arizona.

Mr. DICKSTEIN asked and was given permission to extend his remarks in two instances, in one to include an article from the New York Mirror, entitled "This Is America," and in the other to include a letter appearing in the October 9, 1945, issue of the New York Times.

Mr. NORRELL asked and was given permission to extend his remarks in the Appendix of the Record and include a short statement.



The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 20 minutes.

**CONGRESS SHOULD TAKE INVENTORY OF CIVIL SERVICE NOW**

Mr. REES of Kansas. Mr. Speaker, there has been a considerable amount of discussion in the press with regard to recommendations for increases in the salaries of employees in the Federal Government, all the way from top to bottom. I want it clearly understood—I am not opposed to reasonable increases in wages of employees, especially those in the lower-paid brackets where salaries and benefits are inequitable compared with wages paid for similar work elsewhere.

Before we consider the question of increases in salaries of the millions of people on the Federal pay roll, and before we obligate our taxpayers with additional costs, we ought to take an inventory and find out approximately at least, how many employees we really need now that the war is over, in order to carry on the business of government. Let us decide not how much we would like to pay or how many people agencies would like to employ, but rather how many are really needed in view of the tremendous expense and the mounting national debt of our country.

Mr. Speaker, I am informed hearings have been concluded by one of the committees of this Congress dealing with the question of the salaries of those hired to carry on the business of our Government. Our President has proposed a general pay raise in all Federal services, including Supreme Court Justices, who, under his plan, would get \$30,000 per year, District judges would receive \$20,000, including, of course, retirement lifetime pay accordingly. Cabinet officers would receive \$25,000 in place of \$15,000, and Members of Congress would be hiked to \$20,000 per year under this plan.

Officials in charge of some of our agencies have recommended that heads of departments, now receiving from \$8,000 to \$10,000 per year, be increased to \$15,000 or more. They say it is almost impossible to secure men to carry on the work for less money. I assume there may be a few instances where specific scientific training is required and payment of higher salaries justified, but they are very, very rare and few in Government. I do not believe the heads of such agencies have tried very hard to secure competent assistants, if they have not been able to locate them at salaries of \$8,000, \$9,000, and \$10,000 per year, with added liberal retirement pay and other emoluments. It ought to be understood too that the pay for professional talent is fixed in higher brackets for good as well as bad years.

No one who proposes these high increases in salaries has offered any suggestion as to the source from which the funds are to come, to pay these additional costs. Under the proposals submitted by administration spokesmen, additional expense is about a half billion dollars on the basis of present employment.

The record will show that during the past several years division chiefs and those holding administrative jobs secured their appointments largely because of political influence and not so much by reason of their superior ability. When once planted in such jobs, they usually stay there with increased salaries. What we really need is better and more direct supervision with respect to those who hold such appointments, and more strict accountability regarding their duties.

These proposed top-flight over-all increases are unwarranted. They certainly come with mighty poor taste at a time when there is so much discussion about holding the line in salaries and wages. These proposed increases in higher brackets are not 20 or 30 percent, but they run from 50 to 100 percent.

I contend that before this Congress considers granting increases all the way up and down the line, it better give serious thought and consideration to reduction of personnel in our Government. I believe the rank and file of the taxpayers of this country feel pretty much the same about it.

Do you realize we still have on our pay rolls, approximately 3,600,000 civilian employees, 800,000 overseas, almost one to every three men in uniform, which is about as many as we have ever had. There has been a lot of talk about reductions, but reductions have been very very slow.

About one and one-half million of our employees are clerical or white-collared workers. In addition to this group we have thousands of women in uniform doing practically the same work as girls in civil service. Incidentally, I think these girls in uniform, except those whose services are required in hospitals and in the Veterans' Administration and technical places, ought to be given a chance for release now. Why compel them to stay in the service when girls qualified under civil service can handle the job now that the war is over.

I would like to direct your attention to the fact that the only testimony considered by the committee holding such hearings with respect to this problem is testimony of those in favor of increases. Why not? They, themselves, are a part of it. I do not criticize them for one minute, but I think John Q. Public, the taxpayer, does not have much of a chance to be represented unless Members of Congress are willing to do it. It is for Members of Congress to see to it that the men and women who pay the expenses of Government, and this, incidentally, includes millions of servicemen in uniform, are given the consideration to which they are entitled. Let me repeat, I believe there are some employees in the lower-paid groups who are entitled to consideration with respect to increases in salaries, but let us consider how many are needed before increasing pay.

My appeal this afternoon is that the Committees on Civil Service of both Houses proceed to hold hearings to determine as far as possible the question as to how much of the service rendered by these hundreds of agencies are really necessary in the light of our limited re-

sources and the demand for the curtailment of expenses. That we eliminate every one of the war agencies at the very earliest date possible and see to it that they really are eliminated and not covered into permanent agencies. Then go a step further and pare to the core the services of peacetime agencies that have spread out like mushrooms in the past few years. Make an intensive study with respect to unnecessary services and cut out the tremendous amount of duplication and multiplication of activities that have grown up in our Government, and provide more efficiency that is so much needed.

I have tried the past few years to get Congress to take definite action with respect to this problem. Now is the time and here is the place to do it.

Of course, these thousands of employees who have come into the Government during the war emergency, by and large, have done a good job. They are entitled to credit for it. They knew when they accepted these positions that the jobs were to last during the emergency. There should be no disappointment because of reductions in personnel. It ought to be orderly, efficient, and in accordance with the intent of Congress. We should see to it that veterans' rights are not violated and that career employees are properly protected.

Mr. Bernard Baruch put up a "Stop, look, and listen" sign with respect to Government expenditures. Hostilities ceased sometime ago. Now is the time to hoist a "Stop, look, and listen" sign with respect to the need of employment in our Government.

If those responsible in Government really have a mind to do so, they will adopt such a proposal. They can reduce Government personnel by a million employees in less than 6 months and still do a good job.

Mr. Speaker, we are demobilizing our armed forces, but not the civilian forces at home. We have 3,600,000 Government employees on our pay roll today—800,000 are outside of the United States. We have almost as many civilian employees outside this country as we had at the close of World War I.

The total annual cost of Federal employment is \$7,000,600,000. This does not include the expense of women in the armed forces doing clerical work.

Mr. Speaker, the Civil Service Committees should proceed to hold hearings to determine which agencies should be abolished now. It should proceed to determine the activities and services which should be eliminated. It should see that duplications and multiplications of effort are stricken out. It should immediately investigate the question of inefficiency that is prevalent in many of our agencies.

Mr. Speaker, our country is in debt today in the staggering sum of \$268,000,000,000. We are advised the deficit this year will be \$30,000,000,000. Again I say we had better "Stop, look, and listen" before we charge the taxpayers of this country with another \$500,000,000. The time to take inventory is now.

The SPEAKER pro tempore (Mr. FORAND). Under previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 30 minutes.

**REDUCTION IN FEDERAL EMPLOYMENT—  
TAKE 2,000,000 OFF THE PAY ROLL**

Mr. VURSELL. Mr. Speaker, emblazoned in the headlines of the Sunday newspapers, of course, designed to reach the greatest number of readers, I read:

Truman details cuts in war agencies. Twenty-three bureaus face overall slash in 1946. Fiscal year's savings \$371,000,000.

This is welcome news if it is misunderstood, but it holds out little or no hope for the deflation of bureaucracy when it is really understood. It adroitly gives a false impression to the American people whether or not it was so intended.

It says 23 bureaus face over-all slash in 1946. In fact, what they propose to give is not a meat-cleaver slash, it is not even a scratch. The plan only promises when you read it carefully to take about 123,666 people off of the pay roll out of a total of approximately 3,649,383 employees. It only proposes to deal immediately with 23 bureaus out of 1,141 in the Federal Government and it proposes to deal most gently with those who are separated from the pay roll.

The plan written by Mr. George E. Allen, personal assistant to President Truman, by and with the consent of the President, recommends legislation for these Federal employees which would, to a great extent, reduce the paltry saving of \$371,000,000 which they say these cuts in employees between now and June 30, 1946, would accomplish.

Mr. Speaker the President's plan will give the taxpayers no relief because he is endorsing legislation to increase the salaries of all such Federal employees by 20 percent. If he is successful in pushing this legislation through, the salary increase for such employees will amount to about \$516,000,000 a year, so you can readily see that instead of saving the taxpayers \$371,000,000 their burden will be increased by \$145,000,000. And, may I point out he recommends that legislation be passed which is now before the Congress which will place all such Federal employees for the first time under the benefit of unemployment insurance. That means if the President has his way, from now on everyone separated from the Federal service unless he can find a suitable job which compares with the job he lost, he or she may become the beneficiary of unemployment insurance up to \$25 a week for 6 months.

The President further recommends that those who have left their homes to come to Washington or to go to the larger cities to accept these jobs should be paid their transportation home. The recommendation of this expense is unparalleled in the history of this country. Most Federal employees, regardless of civil service, throughout the Nation, are political employees. I have never heard before of the Democratic Party or the Republican Party, after they have given political employees a job, guaranteeing that the Government will pay their way back home after the job runs out. This is exactly what the President recommends

Mr. Speaker, I have estimated that if they reduce the Federal pay roll by \$371,000,000 it would separate in all about 120,000 people.

We have complained about the demobilization of the Army and justly so. The Army is not run politically and even though it is too slow, it gives one at least a comparison between the operation of a military organization and a political organization. The Army is operating with rocket-bomb speed compared with the political organization in its demobilization on the home front. The Army is demobilizing a million people a month. The present administration is not demobilizing 100 people a month and has not since VJ-day. Let me prove this to you.

Mr. Speaker, when President Truman ascended to the Presidency in April there were 2,914,691 people on the Federal pay roll in continental United States, and it will surprise you to learn that there were 547,000 civilians on the Federal pay roll outside of the United States, making a total of 3,461,191 people paid for out of the Federal Treasury by the taxpayers. The last authentic figures I have are of August 31, 1945, when we find 2,795,213 people on the Federal pay roll in continental United States, with an expansion of 854,170 outside of continental United States, making a grand total of 3,649,383, or an increase during May, June, July, and August of 187,692. It may be, and I hope it will show, that during September and October they have reduced the pay roll by 187,692 people, which would then balance it back to the exact number on the pay roll when President Truman took office.

And, may I point out to you and the taxpayers who pay the bill, that it now requires about \$7,600,000,000 a year of the people's money to pay for this bureaucratic horde who yet remain on the pay roll. We are now treated to the bountiful promise that the administration proposes between now and June 30, 1946, to reduce that \$7,600,000,000 pay roll by \$371,000,000; that is, if the President's 20-percent increase for Federal employees, which will amount to over \$500,000,000, is not enacted into law and if those who are separated from the pay roll do not go on unemployment insurance, and if the Congress has courage enough to refuse to pay all their transportation back home if and when they are separated from the service.

Mr. Speaker, the average person on the Federal pay roll who has served 2 years at a \$3,000-a-year-salary, if and when he is separated from the pay roll will not have to hitchhike home even if the Congress refuses to pay his way, because he will have the benefit of full pay for a 30-day leave and he will receive his refund of retirement pay of 5 percent of the \$6,000 he earned during his 2 years of service which would amount to \$300, which amount is more than the average mustering-out pay for the soldiers who won this war for us at a very small monthly salary plus tremendous sacrifices, hardships, and dangers to which they were subjected.

The Members of Congress, by a big majority, I feel certain, who represent the people and try to reduce expenses in

an effort to save the Government from financial disaster, are generally agreed that within the next 6 months to a year there should be at least 2,000,000 people separated from the pay roll. If this administration hopes to reduce the pay roll by possibly 120,000 people by July 1 of next year can there be much hope held out that they ever intend to reduce the Federal pay roll by 2,000,000 people. Is it not to the contrary, an indication that they may want to keep the Federal pay roll at a high level in order to control the next national election in the hope of perpetuating the present party in power? You will recall in the last national election the party in power was reelected by about 3,400,000 popular vote majority. There were then about 3,400,000 people on the Federal pay roll.

Those schooled in politics generally regard one person on the Federal payroll as being worth at least 3 votes. It is assumed that there are generally 3 votes in a family and it is further assumed that one member of the family who has the benefit of being on the Federal payroll is generally able to get the other members of the family to vote with him to sustain his job. Can this be the reason the present administration is approaching this problem so tenderly with the result that, come next election, the Federal pay roll will not be 2,000,000 less than it is today?

Mr. Speaker, the servicemen who have returned will have to help pay in taxes these salaries. The farmers who have been working unthinkable hours and who will continue to do so with small net profits at the end of the year, the little businessmen and the laboring men of all types will have to shoulder this burden of heavy taxation to keep this great bureaucratic horde on the Federal pay rolls at the expense of the rest of the people who struggle under the load.

I do not make these statements out of any political bias. It is of too great importance to be approached in that manner. Many of us are more interested in saving this country than in which party will be successful at the next election. I make these statements in an attempt to keep the people from being deceived. I make them in the hope of prodding the administration, if possible, to the point where they will recognize the plea of over 130,000,000 taxpayers for relief. I make them knowing they have the full endorsement of most of the Democratic and all of the Republican Members of Congress. In fact, the majority of the Members of Congress view with alarm, not only the expense of bureaucracy but the power that such a bureaucracy is wielding over the Government to the point where it is encroaching upon the prerogatives of the Members of Congress, who are elected to represent the people.

May I point out that it requires almost double the amount of billions of dollars to pay the Federal pay roll than it required for the entire operating expenses of the Government in 1928.

Mr. Speaker, we can never balance the budget, we can never sufficiently reduce taxes until we begin to curtail expenses, and the time to curtail expenses has now arrived. One way to curtail expenses is to get two to two and one-



half million people who are no longer necessary off of the Federal pay roll back into civilian life where they can contribute something to the upkeep of the Government rather than to continue at the expense of the Government.

If I am accused of being partisan in my approach to this most important question, may I point out that Senator BYRD, a Democrat of Virginia, after a thorough investigation by a congressional committee of which he is the chairman, during the past year has stated time and again, "that there were at least 500,000 people constantly on the pay roll at Government expense who were not needed." If that were true in wartime certainly there are a million people who are on today whose service could be dispensed with. May I point out further that in a recent statement he urged that the Government reduce the Federal pay roll as quickly as possible by the separation from the service of 2,000,000 persons.

With a debt approaching \$275,000,000, with the Congress and the Nation anxious to help the servicemen when they return to complete their education, to go into business, to buy a farm, to rehabilitate those who are physically disabled so they can make their own way in the future, how can we be as generous and liberal with them as we would like to be unless we can have the cooperation of the administration for real economy starting with the deflation of bureaucracy. It will require \$4,500,000,000, or more, to be expended on the servicemen annually to give them the help we have authorized through legislation. Would it not be better to reduce the Federal pay roll by an extra \$4,000,000,000 and keep that in reserve for the care of these men as it will surely be needed year after year as the care of the servicemen will mount after they have returned home. Can there be any justification of the expenditure in these times—yes, of even a hundred thousand dollars of the taxpayers' money more than is necessary for any purpose?

Mr. Speaker, it is estimated that our normal expenses in peacetime beginning next fiscal year will run around twenty to twenty-five billion dollars. Can we expect to muddle through and avert financial disaster as a nation if we attempt to carry a bureaucracy Federal pay roll of something like \$7,000,000,000 a year?

If the President will refuse to take the advice of Mr. Hannegan, the Democrat national chairman, who is the Postmaster General and whose pay roll has increased by 53,995 instead of decreasing, and will insist on reducing these pay rolls by 2,000,000 people in my judgment, it will not only increase his popularity but it will prove to be far better politics than to go along with the politicians who are advising him to the contrary.

The American people will suffer for a long time but when they get enough of anything and when they turn, they turn with great force and effect. Undoubtedly, they are beginning to see that their own economic salvation, the protection of their jobs, the protection of their business, the protection of their farms, their homes, the bonds they have purchased to

finance the war and the insurance they have provided for later years, right now and not later, depends on reducing expenses—not increasing them, depends on every possible economy the President and his party can bring to bear to preserve our financial solvency.

Let me show you how bureaucracy has grown in the last 12 years, and I again quote from Senator BYRD, a Democrat, so that I may not be accused of being partisan.

Senator BYRD pointed out in the CONGRESSIONAL RECORD of November 9, 1945, that 22 agencies are now engaged in housing activities. Twenty-seven agencies are engaged in work having to do with standards and inspection; 29 are engaged in the field of statistics; 24 are engaged in map making; 16 are engaged in education; 14 are engaged in surplus-property disposal; 14 are engaged in the field of safety provisions; 27 in labor relations; 16 in water power and power; 10 in veterans' aid; 20 in conservation of natural resources; 24 in rehabilitation; 22 in insurance; 21 in transportation; 93 in Government lending; 37 in foreign trade; 45 in investigations; 8 in pensions and annuities; 37 in public health; 27 in employment and unemployment matters; 305 in national defense; 6 in public buildings; 64 in business relations, and 44 in agriculture.

Think of it—1,141 Government agencies employing 3,649,383 people at an annual expense of about \$7,600,000,000 a year. We cannot continue to carry this load. Pay rolls should be reduced by 2,500,000 people within the next few months. If they are not reduced the responsibility must be placed directly upon the administration in power. It is not a matter of legislation. The administration can make this reduction without any legislation. All of the Republican Members, and I believe the majority of the Democratic Members of the House and Senate, realize it should be done and would welcome such action. The time to act is now in a forthright manner. Let us hope against a faint hope, yes, a faint hope, that such action may be taken.

If we will stop giving America away—and I have started—stop this terrible waste, get the boys out of the Army and back home with their families; yes, and stop the OPA from blocking the road to business and greater employment, adopt business principles of real economy in every department of Government, and everyone go to work in real earnest with less strikes and greater production—we can possibly weather the financial storms ahead and move our country on to a greater destiny.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. DONDERO. My information is that the demobilization in this war is three and one-half times as fast as it was after World War I.

Mr. VURSELL. I think that is quite right.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. SPRINGER. What class or type of civilians constitute the increase that

has been added outside of continental United States during that time?

Mr. VURSELL. It is the same type of Federal employees that have been serving here in the United States. For instance, some of the departments have greatly increased. The Post Office Department has increased. Within the past few months they have increased their pay roll by something like 43,000 people. Other departments have increased.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I understand that this report the gentleman is speaking from, Senator BYRD's report, shows something over 3,600,000 employees on the pay roll at this time. Does that represent an increase of nearly 300,000 over the last 6 months?

Mr. VURSELL. No; the gentleman is in error. My figures are correct to date, and as of August 31st the increase has been about 184,000.

Mr. MILLER of Nebraska. The gentleman from Virginia [Senator BYRD] rendered a report to the President a few days ago. Maybe the gentleman had it on his desk. As I remember, in that report he said that before Pearl Harbor there were less than a million people on the pay roll of the Federal Government and there were also less than a million on Armistice Day in 1918. Now we have over 800,000 on the pay roll outside of the continental limits of the United States. Does that correspond with the gentleman's information?

Mr. VURSELL. That corresponds with the information I have from the Government.

Mr. MILLER of Nebraska. Are there something over 3,600,000 employees now?

Mr. VURSELL. According to the last report, that is correct.

Mr. MILLER of Nebraska. It looks like we should begin demobilizing a large group of civilian employees in the Government service.

Mr. VURSELL. I hold those views, and that was the purpose of bringing it to the attention of the House. I hesitated to do this. We are here to try to help direct the affairs of Government as best we can. I know that Members of Congress on both sides of the House realize that a very serious situation is facing the American people, and I know they are for economy. I wanted to provoke thought, and maybe action, by taking the time today to state facts, give these figures, and put them in the CONGRESSIONAL RECORD in the hope that it will do a little good. If it does, then I have rendered a humble service to my constituents and to the Nation.

Mr. MILLER of Nebraska. May I say, in view of the large civilian pay roll, that bureaucracy does not demobilize itself; it grows and feeds upon itself, regardless of what political party is in power. It takes strong action by the Congress to reduce the number of Government civilian agencies now operating at such tremendous cost to the taxpayer.

Mr. VURSELL. That is correct.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman have any idea how many people will be required to operate the Full Employment Act, should that become law?

Mr. VURSELL. I have no idea. I am not sufficiently conversant with the full employment bill to discuss it, but I am fearful that it is a long step toward putting the Government in power more greatly as an employer than at the present time. Whether as an employer or not, it may mean the same thing.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Pennsylvania.

Mr. RICH. If the Government does not economize in its operation, what will be the ultimate result?

Mr. VURSELL. I think the gentleman knows the answer as well as I. It will lead to financial insolvency.

Mr. RICH. There will be a top-heavy Government that will go into bankruptcy because it will be unable to meet its obligations, and the people of this country, whom this Government is trying to serve, will be ruined.

Mr. VURSELL. We are at least headed in that direction.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Illinois has expired.

#### EXTENSION OF REMARKS

Mr. D'ALESSANDRO asked and was given permission to extend his remarks and to include therein an editorial from the Baltimore Sun of November 2.

Mr. CLASON asked and was given permission to extend his remarks in the Record and include therein an article by a radio commentator of Springfield, Mass.

#### FORAND BILL

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I have today placed on the Speaker's desk discharge petition No. 11, for discharge of a resolution, which will make in order the Forand bill providing for supplemental compensation by the Federal Government.

The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from Wisconsin [Mr. KEEFE] is recognized for 30 minutes.

#### PEARL HARBOR INVESTIGATING COMMITTEE

Mr. KEEFE. Mr. Speaker, on November 6, the gentleman from California [Mr. GEARHART] addressed the House on matters relating to the Pearl Harbor investigation. During the course of those remarks, the gentleman yielded, and, as appears on page 10446 of the Record for that day, I made the following statement:

The gentleman recalls in connection with the testimony with respect to the so-called "wind execute message" that the testimony of one Captain Kramer was very vital and important and material and that Captain

Kramer was badgered and beset by a subsequent effort to break down the testimony which he had given under oath and that Captain Kramer, it is now alleged, is confined at a hospital in a psychopathic ward. Did the gentleman and I get to go to that hospital to try to see Captain Kramer to find out what the facts are with respect to this very vital and important witness and to talk to him and see him? We are denied that right under the order issued by the President, and yet there is one of the most vital and important witnesses who could be brought before this investigating committee, and whole legions of stories have arisen as to the manner in which he was broken down in mind and health subsequent to the testimony he gave. I want to go out to the hospital and see this man. The gentleman from California wants to go out and see him. Can the gentleman do it, or can I, under that order?

Mr. Speaker, my purpose at that time in referring to Captain Kramer was to show concretely the difficulties that confronted members of the investigating committee in any effort to ascertain facts.

I was definitely advised prior to the 6th of November 1945, by sources which I considered to be unimpeachable in character, that Captain Kramer was at the Bethesda naval hospital undergoing treatment in a neuropsychiatric ward. Because of his extreme importance as a witness, I felt that every effort should be made to see and talk with him.

It will be recalled that the President had issued a secret order in August 1945, which in effect prohibited all Army, Navy, or civilian personnel in the Government service, including Captain Kramer, from discussing with anyone information obtained from handling codes or cryptographic material. Thus at the outset, despite the fact that we knew that Captain Kramer, an important witness, was at the Bethesda naval hospital undergoing treatment in a neuropsychiatric ward, he was barred under the Presidential order from talking to us, and it would have been useless at that time to have undertaken to talk with him.

It will be noted that the newspapers throughout the country and in the District of Columbia carried stories on Wednesday, November 7, with respect to the statement which I made in reference to Captain Kramer the day before. It will be noted that in the statement which I made and which I have referred to no charge was made that he was being held incommunicado, and I can assume no responsibility for the interpretations of my statement appearing in the press. It is enough to say that the Navy Department, the officials at the hospital, and Captain Kramer himself saw these newspaper reports on Wednesday, November 7.

On Tuesday, November 8, the Pearl Harbor Committee met, and as a result of that meeting, we were advised that the Presidential order had been revised so as to permit individuals in Government service to discuss the Pearl Harbor incident with individual members of the committee. The gentleman from California [Mr. GEARHART] and I decided to visit the hospital immediately. When I returned to my office from the committee meeting, preparatory to going to Bethesda, I found that information had been telephoned to my secretary to the effect

that Captain Kramer had been given liberty that morning and was not at the hospital. My secretary called the hospital and inquired whether Captain Kramer was a patient there and was advised that he was. The gentleman from California [Mr. GEARHART] and I immediately went to the hospital at Bethesda. There we learned that Captain Kramer had been given "liberty" that morning and that he had left the hospital with his wife. We further learned that he had been in a neuropsychiatric ward, known as N-5. We were advised that he would be at the hospital the following morning, and we returned then, where we met Captain Kramer and Mrs. Kramer and had a long interview.

During the early portion of the interview, the commanding officer of the hospital stepped into the room and advised that there were newspapermen and photographers present who wanted to take pictures and obtain a statement from Captain Kramer. The commanding officer stated that he had discussed the matter with the public relations department of the Navy and that he thought it would be all right to permit the pictures to be taken and for Captain Kramer to make a short statement. Captain Kramer agreed. The pictures were taken and subsequently appeared in the press. Captain Kramer then made a short, succinct and what appeared to me to have been a carefully thought out statement. That statement is as follows:

I did not desire to make a statement to the press but will do so in view of the grossly inaccurate and distorted statements which have appeared in the newspapers.

I have been a patient at the hospital for some weeks and far from being beset and beleaguered as the newspapers suggest, I am feeling very well. My treatment by the Navy has been as fair and considerate as it could possibly be, and statements otherwise appearing in the press earlier this week are as far from the truth as they could possibly be.

As regards the issues in this case—the question of my testifying before the committee of Congress investigating Pearl Harbor—I am available at this time and have been continuously available to the committee and am prepared to state fully anything that I know that they may want to know.

I was not held incommunicado.

It just happens that the proper approach was not made to see me. I was downtown shopping yesterday when attempts were made to interview me.

The detail work and other things I am being treated for do not necessitate my remaining here every day. I can leave the hospital at my own discretion.

On the basis of this statement, which was later issued to the press by the public relations division of the Navy Department, certain newspapers published headlines such as the one that appeared in the Sheboygan (Wis.) Press, a Democratic newspaper, under date of Friday, November 9, 1945. This newspaper carried a scare headline across the front page—"Kramer Explodes Keefe's Charges." Because of the importance of Captain Kramer as a witness in this investigation and because I want nothing but truth and facts, and because I am apprehensive that there are interests involved in this investigation that do not want the truth, I believe a statement of



some additional facts is warranted. These are the facts:

Captain Kramer testified under oath as a witness before the naval court of inquiry. His testimony, in my judgment, was clear and factual, and he was supported by the testimony of Captain Safford, who was in the same division of the Navy. After the navy court of inquiry had made its findings, the Secretary instructed one Admiral Hewitt to make further investigation. Admiral Hewitt interviewed the witnesses that had testified before the naval court and took further statements from them under oath. Among these witnesses was Captain Kramer. Admiral Hewitt questioned Captain Kramer at length with respect to the testimony which he had given before the naval court of inquiry, and as a result of that examination, Captain Kramer's recollection became less clear as to the events of the week prior to December 7, 1941. His change of recollection brought about by the examination of Admiral Hewitt was on the most vital and important matter in the whole testimony.

Captain Kramer went into active service in the Pacific and was gone for a period of about a year and a half. He then returned to Washington and went into the Naval hospital at Bethesda for a check-up in August of this year. Prior to going to the Pacific he had lived in Arlington with his family. When he broke up his home, his wife and children went to Miami, Fla., where they are living at the present time.

Now, bear this in mind, Captain Kramer had gone to the hospital in August for a physical checkup. This committee and the publicity incident to the work of this committee came to the public on the 6th of September 1945. On the 28th of September 1945, 22 days after this committee was appointed and all the publicity was in the paper as to this investigation, Captain Kramer, on orders from the Medical Department of the Navy, went to the Bethesda Hospital for observation and treatment.

On September 28, 1945, Captain Kramer, under orders from the Medical Department of the Navy, went to the Bethesda Hospital for observation and treatment. He was placed in ward N-5, a neuropsychiatric ward. His uniform was taken from him and he was clothed in pajamas, bathrobe, slippers, and so forth, in accordance with usual practice in that institution. He was there under orders. He remained in that ward continuously while being subject to orders, care, and treatment of the Medical Department. His meals were served to him in the ward, whereas those who had their uniforms ate in the officers' mess. He could not go and come as he pleased, until granted "liberty" on Thursday, November 7.

He showed some improvement, but the physicians in charge, Dr. Raines and Dr. Straub, felt that something which they could not diagnose or understand was bothering him, making his recovery less rapid. On October 30, 1945, Dr. Raines wrote a letter to Mrs. Kramer, addressed to her in Miami, Fla., and among other things, stated in this letter that while Captain Kramer had shown improve-

ment, certain manifestations still persisted. He requested that she come to Bethesda so they could discuss his case with her and try to ascertain if possible what it was that was worrying him. They were unable to get him to say what was disturbing him.

Mrs. Kramer came to Washington, and she felt and so expressed herself to others that he was worrying because of the Pearl Harbor incident and worrying because of efforts that had been made to have him modify or change his testimony.

It is a mere coincidence that she arrived in Washington on the 5th of November, the day after the gentleman from California, Congressman GEARHART, made his speech, and it is a mere coincidence perhaps that the publicity of that speech and the interjection placed in it by myself came to the attention of the Navy Department, the hospital authorities, and Captain and Mrs. Kramer. The facts are, however, that much to the surprise of Captain Kramer himself and without any change in his condition as indicated by any conclusions of the hospital board, he was granted "liberty" the morning of Thursday, November 8, and left the hospital with his wife that morning. He was not present when the gentleman from California, Congressman GEARHART, and I went to the hospital that afternoon. It is perhaps a coincidence that when we returned to the hospital the next morning, Captain Kramer appeared in his uniform, which had been returned to him the day before for the first time since September 28.

The records of the hospital indicate that Captain Kramer had one visitor during his confinement there. This visitor was Captain Safford, also an important witness before the Pearl Harbor investigating committee and a coworker with Captain Kramer in the intelligence division. There is no other record at the hospital showing a visitor other than Captain Safford.

From this record I am convinced that the Navy Department and the higher-ups in Washington fully realized the importance to be attached to the testimony of Captain Kramer. I am fully convinced that efforts were made to get Captain Kramer to modify and change portions of the testimony that he had given before the Navy Board of Inquiry. I am satisfied that this worried Captain Kramer and that his worry, coupled with overwork and fatigue as a result of his service in the Pacific, caused his being ordered to the neuropsychiatric ward in the Bethesda Hospital for treatment. I am satisfied that the psychiatrists there were baffled as to the underlying cause for his continual worry which resulted in the persistent manifestations which they referred to when they wrote to Mrs. Kramer asking her to come to Washington.

I am completely satisfied that the basic cause of Captain Kramer's worry arises from the efforts which have been made to have him change certain vital and important parts of his testimony.

It is too much to expect to obtain any admission of this fact from Captain Kramer himself. Even the psychiatrists at the hospital have been unable to get from

him the real cause of his worry. I sincerely hope that when Captain Kramer appears as a sworn witness before the Pearl Harbor committee, he may firmly adhere to the clear-cut statement which he made when he testified before the naval court of inquiry.

In view of all the facts, therefore, and despite the release of the public relations departments of the Navy quoting Captain Kramer, I still stand on the statement which I made on November 6.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. MURPHY] is recognized for 30 minutes.

Mr. MURPHY. Mr. Speaker, I have asked for this time so that I might follow the distinguished gentleman from Wisconsin in order that we might get this Pearl Harbor inquiry on the even keel on which it started. The distinguished gentleman repeatedly speaks first of him having done certain things on the floor of the House relative to a patient at Bethesda Hospital. After doing what he said he did and making the statement he said he made, there was apparently some statement in some paper in Wisconsin and he today on the floor of the House answers the statement in that paper in Wisconsin. Not once has the gentleman brought the matter to the attention of the committee of which he is a member. Not once has the gentleman said a word about it to the members of the committee, at least on the Democratic side.

When the committee was named there were statements in the paper to the effect that 10 lawyers had been named to the committee. Being honored and privileged to serve on that committee, I felt that we were going to act like lawyers as well as Members of the Congress of the United States. Back where I come from it is a little irregular, it is most unusual, to try your case in the newspapers before you get to court. It is my impression that the system of justice we have in America and which has existed from early days in England down to the present time is based on the fact that a man is entitled to a jury of his peers and to have his case presented in court with counsel on both sides. Then it goes to the American people, who are the jury, to pass upon the verdict.

What do we have here today? We have the gentleman talking about some statement out in a hospital, and about some report before a board of inquiry, when the Pearl Harbor meetings do not commence until tomorrow. Why could not the gentleman sit back or go out and work as we have done and read all the volumes of reports that are on this table, as well as others that are in my office, and make his inquiry and present it, and, in fairness to this gentleman, Captain Kramer or Commander Kramer, whatever his rank may be, have him come into the room before the American press, before the American radio, and before the American people, and then let the distinguished gentleman make his accusations?

On the floor of this House last week, on November 6, one of the gentlemen on the other side said he was surprised that the witness Kramer had not been liquidated, Mr. Speaker, to me that means,

surprise at the United States Navy, the branch which has done a great deal in winning this war under the able leadership of great Americans—the gentleman on the other side said he was surprised that the witness was not liquidated, and to me that means murdered. Is that the way to conduct a fair and impartial inquiry for the American people? Is it fair to have statements made about a witness being in a psychiatric ward? Is it fair to have statements in the paper which in effect are misquotation but based on the statement of the gentleman from Wisconsin on this floor, anticipating an inquiry which will not commence until tomorrow?

On November 6 the gentleman talked about the witness.

On November 7 or 8 the gentleman was present when statements were given to the press. Here we are on November 14—I believe it is—I am so busy I have forgotten the date, but tomorrow we commence the inquiry, and we are now going over a small segment of the case we are to hear.

In the Christian Science Monitor, a very valuable paper, a gentleman named Stringer wrote an excellent column. It seems to me it would be well for the members of this committee to read that column.

The effect of the statement of the gentleman was, and I am just giving the general import of it, that the issue to be decided is whether or not there should be a full, fair, open, and complete inquiry by the committee designated by Congress or whether or not it shall be threshed piecemeal in the newspapers, on the streets, and on the floor of Congress in a haphazard fashion so that it will be difficult for the American people to get the facts.

Mr. Speaker, as one of the committee, I feel the hearings should commence tomorrow. When they do commence, what is the procedure? In order to be fair about this matter, the committee tried to get one of the ablest lawyers in America. The Democratic majority of the committee, with those on the minority, voted unanimously to pick an outstanding lawyer, a distinguished gentleman and a great American who was Attorney General under one Republican administration and Solicitor General under another Republican administration. They picked such a man to conduct the inquiry. Regardless of what the other members of the committee may say on the other side of the aisle, I have implicit confidence in the integrity of our counsel and I feel that the American people will get a full and complete story of Pearl Harbor—the truth, the whole truth, and, gentlemen, nothing but the truth.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I prefer not to yield. I will yield to the gentleman later. I did not ask the gentleman to yield. May I be permitted to get on with my story, please?

Mr. KEEFE. The gentleman does not care to yield?

Mr. MURPHY. Mr. Speaker, I do not wish to be diverted and would like to go on with my case.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. Mr. Speaker, I will not yield to any Member until I have finished my statement. I hope I make that plain. I do not intend to be discourteous to any Member, but I have a job to do. I want to make a report to this body.

Mr. JONKMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. MURPHY. Mr. Speaker, I do not yield. Mr. Speaker, I have now told three Members that I will not yield to any Member. I hope I will not be interrupted further.

The SPEAKER. The gentleman declines to yield.

Mr. MURPHY. Speaking about newspapers, it is rather difficult when you are a member of a committee to follow the papers if you have members of the committee not reporting to the committee but have something in Sheboygan, Wis., or something else in the Journal and American in New York. If you are going to keep up with the members of the committee on statements that are being made, apparently it would be necessary, under the theory of the gentlemen on the other side, to follow every paper in the United States. I have here a paper which I want to show to the Congress. I want to point out to the Congress, to the Members of this body, to what extremes certain people in America have gone on this inquiry. When the gentleman from Wisconsin and the gentleman from California went to the hospital they did not find Captain Kramer there. He apparently was downtown with his wife. The New York Journal and American with glaring headlines across the top of the page said, "Pearl Harbor Witness Vanishes."—vanishes! I have that here and I will put it in the RECORD. The man was downtown with his wife and accordingly the distinguished gentleman from Wisconsin did not see him, and says the New York Journal and American, "Pearl Harbor Witness Vanishes."

Just to give you an example of some other things: We thought we might go to Pearl Harbor. Certain members of this committee thought it would be a good idea. I opposed it. I felt we could decide the case on the facts. But eventually the committee decided that it will not go to Pearl Harbor. That decision was the action of the committee. The committee decided not to go. Says the Washington Times-Herald, "The Republicans win a great victory. They are not going to Pearl Harbor."

I do not think that has anything to do with this inquiry. I do not think it is a question of politics whether we go to Pearl Harbor or not. It was the action of the committee. I do not think it is fair for certain newspapers to talk about witnesses vanishing, in headlines about an inch and a half in height, when they have simply gone shopping with their wives. The fact is we have before this committee the report of the Roberts board. We have before this committee the report of the Army board. We have before this committee the report of the Navy board. We have before this committee the top-secret reports of

Admiral HART, now a distinguished Member of the other body. We have before this committee the report of Admiral Hewitt. We have before this committee the report of Major Classen. This will be an open hearing. Every single word of testimony will be before the American press. There will not be a question of whether it is the Navy Public Relations said so and so, or one of the gentlemen, a distinguished and able newspaperman, who made the statement about Captain Kramer, and what he had to say. It was that very statement which was given out by the Public Relations Department of the Navy. The gentleman who wrote the statement sits there now in the Press Gallery.

Now, let us be fair. We are going to have a complete and open inquiry. Certain things have been said about certain phases of the inquiry. One of the gentlemen in the other body talked about certain "winds" testimony. We are going into that matter thoroughly. Certain gentlemen talked here about the Kramer testimony, and we will have Captain Kramer before the American people and the American press. Let the American people decide. We are going to have the witnesses before this committee. Every member of this committee has everything in the way of secret, top-secret, and confidential reports made available to them. They are over in the room in the Senate Office Building. I have been reading them night and day.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. Not now.

Mr. KEEFE. The gentleman is misstating the facts.

The SPEAKER. The gentleman declines to yield.

Mr. MURPHY. Mr. Speaker, when I was a young lad back home, I had experiences like that regularly. One of the things I observed as a young lawyer—and I am still just a lad—was the fact that when the other fellow accuses you of something, as a good lawyer, watch out for that. Watch out for that. If the other fellow says, "You are putting politics into it," watch out for what he is doing. If he says, "You are making a misstatement," watch out for what he is doing. I have gone through that for years. It is not new to me.

I want to be fair. I want to say there on the table is the top-secret report of Admiral Hart, there is the top-secret report of Major Classen. The distinguished gentleman from Michigan, Senator FERGUSON, and the distinguished gentleman from Maine, Senator BREWSTER, have the Hewitt report, and the other reports are over in a room in the Senate Office Building. I will stand any challenge on that when I have completed my statement.

Mr. Speaker, I could go on, but I feel this is not the time or the place to go into the evidence. We have an abundance of evidence. We have an abundance of material. We are going to start hearings tomorrow. All I ask of the gentlemen in this body and the gentlemen in the press gallery and the gentlemen of the radio and the American people is this: Just give us an opportunity to present a full, fair, open, honest, and frank discussion



of all the facts in this case. If we fail in any particular, I for one will join the gentlemen on the other side to go into it thoroughly and bring out all the facts. But, until then, let us not try our case in the newspapers. Until then, let us not quarrel in the papers, back and forth, about statements that are not made to the committee. Until then, let us proceed in a lawyer-like, legislative-like fashion and have the kind of inquiry that this very serious subject deserves.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I will be glad to yield to the distinguished gentleman from Wisconsin.

Mr. KEEFE. The gentleman made the statement that the committee had been furnished every bit of material. Does the gentleman mean to infer by that that he has assurance that the committee has been furnished anything more than what the various departments of Government have sent up to the committee in response to the request of our counsel? And will not the gentleman agree with me that under that Presidential order, which was not modified until the 7th of November, that as individual members of that committee, not one of us has been permitted to go down and inspect a single record or a single file in order to try and ascertain whether these departments have in fact sent the full record and all of the records up to our committee? And that was the question—

Mr. MURPHY. Just a minute, I want to answer the gentleman's questions one at a time. That is three he has asked and now he is going on to the fourth. Let me answer the first three.

I want to say to the Members of this body and the press of America that one of the best examples of the wisdom of this committee and of the distinguished President of the United States in insisting upon the committee's acting as a committee or through subcommittees instead of as individuals has been displayed by the gentleman on the other side. Imagine the gentleman going down through the files, and each afternoon, by accident or otherwise, there are the gentlemen of the press as he comes out of the department and then he gives out a statement. One paper says one thing, another says another, and then the next day he is on the floor contradicting those statements. We will have hearings and full orderly procedure and we will get every paper and piece of evidence as a committee; and I will say to the gentleman that our distinguished counsel has been doing a fine job getting everything requested. I know the gentleman has made requests and I know counsel is working on them. I know they have gotten everything I have asked for; I know I have more papers now than I can get over by tomorrow; but we are working night and day to get them.

What other questions does the gentleman have to ask?

Mr. KEEFE. The gentleman will recall, will he not, that I think the 7th day of November the gentleman or I, or any other member of this committee, was not permitted to discuss individually with any officer of the Navy, or Army, or any-

body in civilian capacity who might have had any information which they obtained from cryptograph or code material; and it was not until we had built a fire under you fellows that we succeeded in getting that order modified.

Mr. MURPHY. Now, there is a statement by a member of the committee—

Mr. KEEFE. Well, that is a fact.

Mr. MURPHY. Building a fire under members of the committee.

Mr. KEEFE. It is a fact, nevertheless.

Mr. MURPHY. I should like to think we are proceeding in a gentlemanly, lawyerlike, dignified fashion. I may say to my colleague I see no occasion for a reference of that kind. The fact is, there was a Presidential order made in the month of August regarding cryptanalysis and codes—it was during the war and it was to prevent a disclosure during the war. The fact is, that on October 23 there was a modification of that order by the President of the United States. The fact is, that the committee met and we unanimously agreed that it did not go far enough. The fact is, there was some mistake about the new order, and the unanimous action of the committee was that we get a new order, and we have the new order. The gentleman refers to building fires. All the virtue in the world does not repose in the bosom of the gentleman from Wisconsin; there is a little virtue in the bosoms of others. We are trying to do the right thing. I do not believe the gentleman should make accusations like that when he knows the committee acted unanimously on that matter.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Is not the effect of the order this, that when the committee acts, votes, or authorizes either the committee as a whole or a subcommittee or an individual member of a subcommittee to do anything that it can be done?

Mr. MURPHY. The gentleman has accurately stated the situation. Let me make this statement just to clear it up. The President of the United States was asked by a certain motion that he direct our committee as to its procedure; in other words instead of the committee's acting as a committee that the President say to us in an Executive order: "Any one of your committee can subpoena witnesses, any one of your committee can go out and conduct investigations." The President properly said: "You are a committee of the Congress. Acting through a committee or subcommittees you have all the authority in the world to so act; and if your committee wants to act through a properly named one-man subcommittee it can do just that."

Mr. McCORMACK. What they want to do is to go out, without regard to committee action, and in turn become committees of their own, is that right?

Mr. MURPHY. They want to do exactly what they have done in the Kramer case.

Mr. McCORMACK. They want to go ahead and do their snooping, their legislative witch hunting, in order to create an impression of guilt; then they will pull

somebody out of the bag later on with their four one-man grand jury.

Mr. MURPHY. Mr. Speaker, I want to come to the last part of my statement.

The distinguished gentleman from California is quoted in the press, perhaps incorrectly but he is quoted in the press, as having said that they were down to see J. Edgar Hoover yesterday and, said the press, the gentleman from California made the statement that if the Army and the Navy had sent a statement out to the Pacific we would not have had Pearl Harbor. Perhaps the gentleman is incorrectly quoted, but if he is correctly quoted then he is not quoting the facts and I would like to say why. Said the gentleman, there was no message sent. Said the gentleman from Wisconsin, these were weasel words, speaking apparently of the message of the Navy and the Army which the gentleman from California said was not sent, but apparently by inference if sent, the gentleman from Wisconsin said, was not properly worded. May I say to the Members of this body that when the hearing commences we will go into the messages that were sent at the same time as the message from J. Edgar Hoover. Said the wording of the Navy message: "This is to be considered a war warning." Is there anything weasel-worded about that?

Mr. WALTER. What date was that?

Mr. MURPHY. That was sent out on November 27, 1941.

Now, one more quote. The statement I quoted was from the Navy.

Let me quote from the Army. The inference has gone out through the American press unfortunately that no statement was sent out by the Army. Let me quote from the message of November 27 of the Army:

Negotiations with the Japanese appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment.

Is there anything weasel-worded about that? Both of those were sent to Pearl Harbor on the 27th of November. Is it fair for the press to say that no message was sent by the Army or Navy?

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from California.

Mr. GEARHART. If the gentleman from Pennsylvania wants to be fair he will admit that there was nothing directive in any one of those messages telling either Admiral Kimmel or General Short what to do under these strained circumstances.

Mr. MURPHY. I will answer that.

Mr. GEARHART. The gentleman will have to admit, if he knows anything about military and naval law, that it was the duty of the Washington authorities to direct under a condition of that kind.

Mr. MURPHY. I yielded to the gentleman, but do not take all of my time.

Mr. GEARHART. J. Edgar Hoover's order alerted every one of his FBI men by requiring every one of them to be standing by on 24-hour notice, none of them to be away from a telephone for

over 30 minutes' time. He put them on the alert. Washington Army authorities and Washington naval authorities did nothing to put them on an alert, although not only in Hawaii alone but some place in the world there might be military action by the Japanese.

Mr. MURPHY. Once again the gentleman from California has demonstrated the wisdom of my proposition in quoting from the Christian Science Monitor that certainly this is not the place to try the case. We will have an abundance of testimony of instructions from away back in April on down through November, but the—

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I will not yield further. This is not a duet. Mr. Speaker, I want to say in conclusion—

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield to me before he concludes?

Mr. MURPHY. Just let me answer the gentleman from California first and then I will yield. There will be an abundance of testimony showing what was sent to General Short and what was sent to Admiral Kimmel, but certainly in a few brief moments you cannot cover a hearing which will take at a minimum from 30 to 40 to 45 days. That is why it is wrong to try this case on the floor of this House.

Mr. GEARHART. And I will tell the gentleman why it is wrong—

Mr. MURPHY. I cannot yield further.

Mr. GEARHART. The gentleman brought before us that much testimony, and he wants us to read it by tomorrow.

Mr. MURPHY. Mr. Speaker, I have not yielded to the gentleman. I will say to the gentleman, let us have no recriminations. The gentleman from California was kind enough to vote with all of the Democratic members of the committee to fix the hearing for tomorrow, and within 1 week—

Mr. GEARHART. And the information requested was not even supplied to this date.

Mr. MURPHY. And then 1 week later the gentleman changed his mind. But that is up to the gentleman.

Mr. GEARHART. Because the committee promised to supply what we asked for before.

Mr. MURPHY. Mr. Speaker, I would like to proceed.

The SPEAKER. The gentleman from Pennsylvania has the floor, and it is not proper to interrupt the gentleman if he does not yield.

Mr. MURPHY. Mr. Speaker, may I say that I want to thank the gentleman from California for having voted with the majority on the first vote, at least, to fix tomorrow as the hearing date. But at any rate after tomorrow we will be before the American people and the American press and the American radio, and then let them decide what is going on in committee.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. As a physician I have been somewhat disturbed

about some information that has been handed around. I am sure the House will agree that we have three and I think four very able men in this chamber to represent us on the Pearl Harbor investigation, but I hope that the gentleman's committee will get the medical records of Captain Kramer and either prove or disprove that he was given a drug known as hyacine or scopolamine, probably better known as truth serum, upon one occasion. As medical men we chatter around the table as politicians and lawyers do, and that thing has disturbed me, because several medical men who ought to know suggested that that serum was given to Captain Kramer, and I hope the gentleman's committee will ascertain the truth.

Mr. MURPHY. May I answer the gentleman by saying that we will have Captain Kramer in an open courtroom in the presence of the American press and representatives of the radio, and then if there is any evidence about truth serum or some such drug, I am sure we will get the information.

Mr. MILLER of Nebraska. And also whether the medical record has not been removed.

Mr. JONKMAN. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Michigan.

Mr. JONKMAN. The gentleman from Pennsylvania made reference to an alleged statement by the gentleman from Missouri [Mr. SHORT], alleging that in this Chamber on November 6 he said he was surprised that Captain Kramer had not been liquidated.

Mr. MURPHY. That is right.

Mr. JONKMAN. I think the gentleman is in error.

Mr. MURPHY. I will quote exactly from the RECORD. I now hold in my hand RECORD page 10446, third column:

Mr. GEARHART, Mr. SHORT, Mr. GEARHART, Mr. SHORT, Mr. GEARHART.

Now comes Mr. SHORT, and I am reading from the RECORD which I hold in my hand, the CONGRESSIONAL RECORD of Tuesday, November 6:

Mr. SHORT. I am surprised they have locked him up; I am surprised he has not been liquidated.

Mr. JONKMAN. Certainly, and to whom other could he refer than to Tyler Kent. Tyler Kent had been locked up but Captain Kramer had not been locked up. I think the gentleman is distorting the statement.

Mr. MURPHY. No.

Mr. JONKMAN. The gentleman apparently has not read the newspapers.

Mr. MURPHY. I leave that to any reader in America—

Mr. JONKMAN. He was discussing Kent.

Mr. MURPHY. That is another reason why I say it is unwise to try this case on the floor of this House instead of before the proper tribunal.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

#### EXTENSION OF REMARKS

Mr. POAGE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLASON. Mr. Speaker, I have received several communications from persons in the Thirty-seventh Infantry Division advising me of the circumstances surrounding their attempts to secure discharge from the service. In the division are 6,000 overseas veterans, some of whom have had 42 months overseas and over 100 points. They have waited for shipment from the Philippines for several weeks. During that time two divisions with one-half of the overseas time and one-fourth of the fighting time of the Thirty-seventh Infantry Division have already departed or are readying for shipment. The men in the Thirty-seventh understand that a thousand non-combatant troops will be sent home from the Philippines ahead of them. The net result is that these high-point veterans of the Thirty-seventh Infantry Division will spend their fourth Christmas overseas.

The War Department has stated that this division is ordered to be ready for shipment on November 15, but the men understand that they actually will not sail for some time thereafter.

It is difficult to understand why a division with less time overseas should be given preference over a division where the men average to have more points and more overseas service.

Since the War Department has made plans for their return to the United States, I am placing this information in the RECORD in order that all persons interested in the personnel of this division may have the information.

In closing I would like to ask the War Department for a full, public explanation to servicemen with high-point scores—many of them fathers—of the release of a low-score college football player who can play football today instead of replacing some high-point, overseas combat soldier. I have received many letters referring to this particular piece of favoritism which apparently has developed into an Army scandal in the minds of countless real heroes of World War II.

On the bright side of the picture, I was advised by an officer in the War Department today that every service man or woman in Europe eligible for discharge will be back in the United States by February. From May 12, 1945, to November 9, 1945, the Army has discharged 2,870,000 soldiers. The Army is now discharging 45,000 daily. These figures speak volumes about the over-all accomplishment of the Army on demobilization. Yet all Americans wish that particularly high-point men might be reached in an orderly manner for early discharge. Today many of them are still in service who ought to be home.

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Celler] is recognized for 15 minutes.



## PALESTINE AND SLICK BRITISH TACTICS

Mr. CELLER. Mr. Speaker, I was startled and I am sure many of you were startled at the administration's consenting to an Anglo-American commission to survey the condition of the Jews in Europe with reference to Palestine as a haven. I was amazed that the administration had fallen for this new British maneuver. I fear that President Truman, for whom I have the highest regard, may have fallen unwittingly into this British trap. Procrastination and delay are the words always on the masthead of the British when they are faced with the necessity for making a decision. I say to Mr. Attlee and Mr. Bevin and Mr. Morrison and the British Government that their delays and their procrastinations will be responsible for the deaths and the martyrdom of thousands of helpless and homeless Jews. Their only hope of refuge is Palestine. Barriers meet them everywhere else. Mr. Attlee sang a different tune when he ran for election than the one he sang here yesterday. I remind the Members of the House of the platform pledges of Mr. Attlee and the Labor Party before election. That party pledge is as follows:

Here we have halted halfway, irresolute between conflicting policies. But there is surely neither hope nor meaning in a Jewish national home, unless we are prepared to let the Jews, if they wish to, enter this tiny land in such numbers as to become a majority. There was a strong case for this before the war. There is an irresistible case now after the unspeakable atrocities of the cold and calculated German Nazi plan to kill all Jews in Europe.

Here, too, in Palestine is the case on human grounds, and to promote a stable settlement for the transfer of populations, let the Arabs be encouraged to move out as the Jews move in.

Let me say by way of parentheses at that juncture, the Labor platform and Mr. Attlee before election held their hands high to heaven and said that which not even the Zionists advocate, namely, that the Arabs should get out to make way for the Jews. But Mr. Attlee, Mr. Morrison, and Mr. Bevin have changed their tactics, have deliberately and flagrantly defaulted on those platform pledges. Let me continue with the platform of the Labor Party:

Indeed, we should examine also the possibility of extending the present boundaries—

That is, the boundaries of Palestine—by agreement with Egypt, Syria or Transjordan. Moreover, we should seek to win the full sympathy and support of the American and Russian Governments for the execution of this Palestine policy.

The Labor Party repeatedly had challenged and chided both the Chamberlain and Churchill governments for their dereliction in Palestine, and bitterly condemned those governments for their perfidy and for their failure to redeem their pledges given to the Jews and to the world, to wit, that England would keep open the gates of Palestine for untrammelled Jewish immigration and land ownership to the end that the government might facilitate the establishment therein of a national homeland for the Jewish people.

Time and again the leading members of the Labor Party have expressed themselves in favor of the Zionists' aspirations in Palestine. In fact, the British Labor Party has been pro-Zionist for a quarter of a century. Maj. Clement Attlee, now Prime Minister, while a member of the British delegation to the World Security Conference at San Francisco reassured labor's friends in Palestine that he, Attlee, was fully in accord with his party's program on Palestine, which program I have just read to you. He arose from his seat also in Parliament and declared that the political and economic reconstruction of Palestine had become an imperative duty. The words "imperative duty" are not mine; they are his. "Particularly," he said, "in face of the tragedy of the German Jews."

He said that the Jews "were bearing the burdens of other peoples' sins."

It is also significant that Prime Minister Attlee placed in important positions in his cabinet numerous of his colleagues who have been not only sympathetic to the Zionist cause but who have openly and courageously denounced efforts on the part of previous British Government to sabotage and scuttle the efforts of the Jews to develop their homeland in Palestine—the only haven left for harassed Jews in the whole world. Now Mr. Attlee and his colleagues become the enemies of the Jewish efforts and become the saboteurs against Palestine as the Jewish homeland.

Mr. Attlee is just as imperialistic as his predecessors and when Mr. Bevin, who is also as imperialistic as his predecessors despite the Labor label, appeared in the House of Parliament and spoke on foreign policy, somebody looked at Mr. Bevin, who is rather stout of figure, and said, "By jove, Anthony, you have grown fat."

We are told, with reference to the flagrant disregard of promises and pledges made by Mr. Attlee, Mr. Bevin, and their colleagues, that at the Potsdam Conference, for example, an argument ensued between Mr. Molotov and Mr. Bevin. Bevin righteously declared to Mr. Molotov, "I want you to remember, Mr. Molotov, that I represent labor." Molotov very cutely replied, "I remember, Mr. Bevin, but you forget." Indeed, Mr. Attlee, Mr. Bevin, Mr. Morrison, and others very conveniently forget the pledges they made in their platform on which they were elected by an overwhelming majority. We must remind them at all times of those pledges. To me, a man who does not keep his word cannot be trusted further. I want no truck with him. It is the same, or at least should be the same, with regard to a nation. If a nation does not keep its word and does not keep its promises, other nations should have no truck with that nation. England has been guilty of a flagrant disregard of her pledges given time and again with reference to Palestine. Always, when faced with the need for a decision, the British use the dodge and the stall—another inquiry, another investigation, another appointment of another commission, and so forth.

There have been innumerable reports, inquiries, and commissions on Palestine and the Jews. There was the Peel commission. There was the commission which resulted in the abominable, nefarious white paper of 1939, which excluded immigration of Jews into Palestine. There is the Harrison report. Federal Judge Rifkind is over there now as the emissary of the President. He is making an investigation and will finally make a report. There is the report and investigation of General Eisenhower concerning the condition of the stateless Jews in Europe. There was the commission which resulted in the splitting up of Palestine, dividing it into two parts, and severing Transjordan from Palestine. There was a report and investigation made by the Mandates commission of the League of Nations. In 1939, Britain sought to get the consent of the League of Nations for its abominable Malcolm MacDonald white paper, which prohibited land ownership by the Jews after 1944, and precluding immigration into Palestine after that year. What did the Mandates commission of the League of Nations do? They studied the whole question. Not only did they refuse consent to that wretched paper, but they denounced it in no uncertain terms. You know, it was necessary, since England had a mandate over Palestine, for her to get the consent of the League of Nations to make any such drastic change with reference to immigration into Palestine and with reference to land ownership in Palestine. The League of Nations in effect said, "No; you cannot do that. It is contrary to the provisions of your mandate, and we denounce any attempts on your part to do it." But, nonetheless, England flouted the will of the Mandates Commission of the League of Nations. Now she wants another commission. Since she did not recognize reports and findings of those other commissions, since she disregarded the Harrison report and all these other reports, how do we know whether she will not thumb her nose again at the Anglo-American report that will result from the deliberations of this new dodge of Britain—an Anglo-American commission? She can refuse to recognize the findings and recommendations. I do not trust Great Britain when it comes to Palestine, because she has defaulted time and again on the pledges given with reference to the Jews. The words "perfidious alban" are well bestowed and well deserved when it comes to Britain concerning the people of the race of Abraham, Isaac, and Jacob.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. RIZLEY. The gentleman made some reference to the fact that we could not place much reliance on a man or on a nation, either one, who, as we commonly say now a days, does a little double talking about these things. Would the gentleman care to comment on a letter that was recently disclosed as going from the late President Franklin D. Roosevelt to King Ibn-Saud?

Mr. CELLER. Yes. I am sorry the gentleman brought that up. It is a very bitter pill for me to swallow; very bitter,

indeed, because I must say that the late lamented President in that correspondence between himself and King Ibn-Saud did not keep faith, did not keep his pledge. That is unfortunate. I say that with all misgivings. I say that with sorrow in my heart, but I have to admit the truth. That is the truth. However great Roosevelt was, here he suffered a lapse from grace. There are some who say the letters in question are in accord with Roosevelt's previously expressed promises. With such interpretation I do not agree.

I repeat perfidious Albion. First, Britain has repudiated the Balfour Declaration of 1917; second, she disregarded our own concurrent resolution of 1922 calling for a Jewish state in Palestine; third, she gave the mandate pledge a hot foot; fourth, she set at naught the Anglo-American Treaty of 1924 which precluded discrimination in immigration into Palestine on the grounds of race or religion; fifth, she kicked around the decision of the Mandate Commission of the League which castigated the white paper of 1939; sixth, she repudiated her debt agreements with us after World War I; seventh, she violated the terms of our lend-lease agreements with her in that she is now using lend-lease tanks, machine guns, and planes to strafe and kill innocent civilians in Indonesia (Dutch territory); eighth, she thus far refuses to ratify the Bretton Woods agreement and gives no sign of so doing and only has until the year's end to do so, but as sure as you are a foot high she will only ratify it if she gets her way on the contemplated economic trade and aid agreement pending.

The conduct of Britain has been disheartening and tragic.

The Arabs have no case in Palestine. Britain raises the Arab peril whenever it suits her selfish purposes. Britain is unafraid of the Moslems. See what she is doing to them in Java—killing and maiming them by the thousands, without a qualm of conscience.

Finally I quote from a statement of the new Zionist organization:

#### WE CANNOT INVEST IN BRITISH FAITH

Britain now asks America for a loan of billions of dollars. How can Americans rely on Britain's good faith when her government is so careless with her honor and so callous in breaking her obligations and commitments? The sore spectacle of Britain's behavior in Palestine stamps her government as faithless and untrustworthy. Let Britain prove her integrity before we trust her with our savings and investments.

The American people must be warned against the pitfalls of British imperialism. Britain's anti-Zionism is part of the English militaristic scheme to expand Britain's power in new directions. It is a policy which undermines the very foundations and ideals of the United Nations. It is a policy which will involve America in imperialistic rivalries and intrigues. It is a policy which will promote unrest in the world by driving 2,000,000 destitute and despairing Jews in Europe into a dangerous social and political underground. It is a policy based on war and one which must lead to war.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. Celler] has expired.

#### EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD in two different particulars and to insert certain statements and excerpts.

Mr. McDONOUGH asked and was given permission to extend his own remarks in two instances in the Appendix of the RECORD, in one to include therewith remarks made recently by Dr. Urey on the May-Johnson bill; and in the other to include a news story on the aircraft industry appearing in the New York Times.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include an address recently made at a conference of Members of the House by Dr. Leo Szilard.

The SPEAKER pro tempore (Mr. KELLY of Illinois). Under the previous order of the House, the gentleman from Michigan [Mr. DONDERO] is recognized for 15 minutes.

#### COMMUNISM IN THE UNITED STATES

Mr. DONDERO. Mr. Speaker, the people of the United States more than any other people in the world want peace, permanent peace, and the return of every fighting man who was forced to leave his home and loved ones to wage war on foreign soil. We have been victorious and have emerged from the conflict the most powerful military and naval power on earth. We suffered more than a million casualties, of which more than a quarter million will never return. We told them it was for freedom, and for that they died. The pension roll for World War II has already passed 800,000. The amount of material wealth, money, and resources contributed by America staggers the imagination. This has all been done by a free people to preserve on this planet dignity of the individual, freedom of soul, spirit, and body, the Christian faith, and a government which is the servant and not the master of its people.

Notwithstanding our place among the nations, many responsible individuals and groups high in official positions within our Government have neither the character, strength, nor courage to stand up and defend the principles of Christianity, freedom, and representative government for which the people so willingly offered their all.

On August 23, 1939, Russia entered into a nonaggression agreement with Hitler. The Communists in the United States at once offered the alibi that this move was necessary to prepare themselves against attack and future war. Their action coordinated with similar action by Germany. They justified the attack on defenseless Finland—a small, peace-loving nation. Hitler used the same methods to sanctify his acts of aggression.

The American people, I am certain, want to forget all events leading up to the most tragic war in human history. I am equally certain, however, that they will not tolerate for long the undermining and disruptive influences of Communists in their attempt to destroy this Republic which made no small contri-

bution in saving the Soviet Union from destruction.

Here in our midst, enjoying the protection of the Constitution of the United States and its institutions of freedom, are such men as one Adler, advocating the abolishment of the United States and our way of life; Browder, Foster, and others, declaring that the Soviet Union is the greatest, most powerful champion of freedom among the United Nations. It is time to call a halt and for Americans to stand up and defend our capitalistic system. It was our way of life and those of our allied democracies which enabled the world to free itself of German, Italian, and Japanese totalitarianism.

When Stalin signed the nonaggression pact with Hitler he had something to say about it before an official body of the Soviet Government. Listen to it. I quote:

If we accept the Reich's offer of collaboration, the latter will not hesitate to crush Poland. England and France will thereupon be drawn fatally into the war. There will result a thorough destruction in Europe, and remaining outside the conflict we can advantageously await our hour.

If Germany wins, she will emerge from this war too exhausted to dream of an armed conflict with us. We must, therefore, accept this pact proposed by Germany and work to prolong the war the maximum possible.

Where is the sponsorship of freedom or equality for all people in such announced policy now championed by the leading Communists within our gates?

A short time after the conclusion of this pact, there sprang up in our country Communist-front organizations sponsored and directed by leading Communists and fellow travelers in America. Let us remember that many of these individuals were refugees who had fled Europe after this nonaggression pact was signed and came here to wait out the war and change their policies as often as a weathercock changes its direction, but always consistent with international Communist interests.

One of these groups was the American Peace Mobilization, which began a campaign to label World War II as imperialistic. They even picketed the White House, denounced the war, and staged similar demonstrations throughout the country. The actions of this organization and its associated groups were officially described by the Attorney General of the United States as subversive. In spite of that fact, I know of no action taken by our Government against these groups, whose activities were seditious, if not treasonable.

When Germany invaded Russia on June 22, 1941, this Communist front organization became the American people's mobilization, demanding the United States enter the war, whether we were prepared or not. This was a complete reversal of attitude, one in the interest of international communism.

One of the most vicious fronts established in this country by Communists was called labor's Nonpartisan League. It devoted its activities to labor groups and unions. One of its leaders was Harry Bridges, who recently journeyed



3,000 miles across the country to offer his moral and financial support to striking dock workers in New York, in cooperation with a similar strike in London, which paralyzed our shipping and delayed bringing our fighting men from Europe.

This group described the war as imperialistic and charged that it fostered strikes, promoted dissension between employer and employee, and disrupted production. It denounced France and England as imperialistic and war mongering nations. The moment Germany invaded Russia, members of this same group called the war a people's war and demanded our entry into it.

Another group, but no less effective, was known as the American Student Union. This organization centered its attack in colleges and universities throughout this country. Their technique was the same as the others. They held mass meetings, printed circulars, and denounced the war as imperialistic—until Germany attacked Russia—then it was a people's war. The pattern of all these groups was the same, they followed the Communist Party line.

Today Albert Einstein, who sought refuge and obtained asylum in our land, is loaning his name and heading the Communist-sponsored American Committee for Spanish Freedom. This organization is at this moment soliciting funds for carrying on its objective, namely, working for a break in diplomatic and commercial relations with Spain. This is in turn sponsored by the Communist Abraham Lincoln Brigade and over 50 avowed Communists and fellow travelers.

The underlying motive of such a program is to foment trouble or war among what these Communists choose to call the capitalistic nations, in the interest of the Communist movement.

The time has arrived when we in the United States must take action against these elements. The machinery of government and its officials in the highest positions of the Nation, charged with the responsibility of protecting our people and our country, must do their duty and see to it that we do not suffer the disgrace and humiliation brought upon the people of France by the same subversive elements active today with one objective, the destruction of this government of free men and women.

There can be no compromise with these traitors among us; communism and Christianity have nothing in common. They cannot exist side by side in the same country. One or the other must perish.

Communism is the physical symbol of Marxist theories. Its foundation is deceit. Religion to a Communist is the "opium of the people." They advance that line of thinking everywhere in America. They work through innocent-appearing publications in one form or another; concealing themselves in worthy social objectives they take on new life and encouragement by well-meaning and unsuspecting citizens who lend aid and personal dignity to what appears to be a worthy cause. They are unmindful that those with whom they associate

are prepared at the proper time to drive a dagger into the heart of Christianity and private ownership. Then citizens become subjects and government becomes the master and not the servant of a people.

My fellow country men and women, this is the challenge we must meet. Let us meet it with confidence in and a firm reliance upon a just God who has never forsaken this favored land. We have never been defeated by forces from without our country, but we can be destroyed from within unless we awaken to the danger threatening us and rise against it.

In my opinion, the Attorney General of the United States has the power under the Voorhis Act to demand the registration not only of the official Communist organization in the United States but of every Communist and fellow traveler as an agent of a foreign nation. If the act is not deemed broad enough to include them, then let us amend it to make it so. In this way, the propaganda flooding the Nation and the Communist groups here will be properly identified and the people of America will not be misled as were the people of France. Let us stand united against this insidious and threatening danger to our very existence as a nation. Let us make sure that the sacrifices of our heroic men, living and dead, shall not have been in vain.

#### EXTENSION OF REMARKS

Mr. BRADLEY of Michigan (at the request of Mr. MICHENER), was given permission to extend his remarks in the RECORD and include a radio address delivered by him.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Messrs. ANGELL, ELLSWORTH, and STOCKMAN (at the request of Mr. MARTIN of Massachusetts), on account of official business.

#### ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 53 minutes p. m.), the House adjourned until tomorrow, Thursday, November 15, 1945, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet Thursday, November 15, 1945, at 10:30 a. m., to continue hearings on the stream pollution control bills: H. R. 519, H. R. 587, and H. R. 4070.

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce, at 2 p. m., Thursday, November 15, 1945.

Business to be considered: Study of operations under the Public Utility Holding Company Act to be continued.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

827. A letter from the Deputy Executive Chairman, Army and Navy Munitions Board, transmitting an amendment to the current Army and Navy Munitions Board list of strategic and critical materials; to the Committee on Expenditures in the Executive Departments.

828. A letter from the Administrator, Surplus Property Administration, transmitting the report of the Surplus Property Administration on surplus chemical plants and facilities; to the Committee on Expenditures in the Executive Departments.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee on Naval Affairs. H. R. 4450. A bill to provide for payment of travel allowance and transportation to their homes, and for transportation of dependents and shipment of household effects, of members of the naval forces upon separation from active service, and for other purposes; without amendment (Rept. No. 1207). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H. R. 4676. A bill to provide for future trade relations between the United States and the Philippine Islands; to the Committee on Ways and Means.

By Mr. BOREN:

H. R. 4677. A bill to discharge men from the service; to the Committee on Military Affairs.

By Mr. JENNINGS:

H. R. 4678. A bill to extend the benefits of the laws granting pensions to veterans of the war with Spain, to certain persons who served as teamsters in such war; to the Committee on Pensions.

By Mr. HEDRICK:

H. R. 4679. A bill to provide compensation for veterans of World War II who have had pulmonary tuberculosis; to the Committee on World War Veterans' Legislation.

By Mr. PATTERSON:

H. R. 4680. A bill to provide for vacations and sickness leave to employees in the postal service wherever stationed on the same basis as for vacations and sickness leave to employees in the departmental service, and for other purposes; to the Committee on the Civil Service.

H. R. 4681. A bill relating to the reentry of Chinese laborers and Chinese wives and children into the United States; to the Committee on Immigration and Naturalization.

By Mr. SCHWABE of Oklahoma:

H. R. 4682. A bill to grant pensions to veterans of the war with Spain, the Philippine Insurrection, or the China relief expedition, who served less than 70 days; to the Committee on Pensions.

By Mr. SPENCE:

H. R. 4683. A bill to authorize the Export-Import Bank of Washington to extend its operations to include the Philippine Islands; to the Committee on Banking and Currency.

By Mr. BLAND:

H. R. 4684. A bill to provide for the disposition of vessels, trophies, relics, and material of historical interest by the Secretary of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. LARCADE:

H. J. Res. 275. Joint resolution relating to the exercise of powers under the Emergency Price Control Act of 1942 and under certain other provisions of law; to the Committee on Banking and Currency.

By Mrs. LUCE:

H. Con. Res. 101. Concurrent resolution to control and reduce world armaments and weapons; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Pennsylvania:

H. R. 4685. A bill for the relief of Charles A. Kelly; to the Committee on Claims.

H. R. 4686. A bill for the relief of the estate of Harry Wright; to the Committee on Claims.

By Mr. BATES of Kentucky:

H. R. 4687. A bill granting a pension to Pharris Johnson; to the Committee on Invalid Pensions.

H. R. 4688. A bill granting a pension to Joseph Johnson; to the Committee on Invalid Pensions.

By Mr. CURLEY:

H. R. 4689. A bill for the relief of Mrs. Jean Russo; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 4690. A bill for the relief of Eugene Whanbo (also known as Ik Jun Whangbo, or Eugene Park Hwangbo, or Ik Choon Whangbo); to the Committee on Immigration and Naturalization.

By Mr. GEELAN:

H. R. 4691. A bill for the relief of the estate of Warren Gilbert Dugan; to the Committee on Claims.

By Mr. IZAC:

H. R. 4692. A bill for the relief of the heirs of the late John W. Pattison; to the Committee on Claims.

By Mr. LYLE:

H. R. 4693. A bill for the relief of Richard C. Ward; to the Committee on Claims.

By Mr. LYNCH:

H. R. 4694. A bill for the relief of the dependents and personal representative of Emil Gottesman; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 4695. A bill confirming the claim of A. J. Rimes to certain land in the State of Mississippi, county of Amite; to the Committee on the Public Lands.

H. R. 4696. A bill confirming the claim of Ralph C. Moak to certain lands in the State of Mississippi, county of Amite; to the Committee on the Public Lands.

By Mr. REECE of Tennessee:

H. R. 4697. A bill for the relief of R. H. Watson; to the Committee on Claims.

By Mr. VINSON:

H. R. 4698. A bill to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites; to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1320. By Mr. GRAHAM: Petition of Hop-pets Ankare Lodge, No. 21, District No. 5, Scandinavian Fraternity of America, New Castle, Pa., requesting that the immigration quotas for the Scandinavian countries—Sweden, Norway, and Denmark—be increased and made more equal with the quotas allowed to other countries; to the Committee on Immigration and Naturalization.

1321. By Mr. LYNCH: Resolution of New York Chapter, Knights of Columbus, protesting against the interjection into an obviously political gathering of an antireligious

attack on the religious beliefs of a large segment of the people of the United States by the Russian Chargé d'Affaires, Nikolai Novikov, and chairman of the British Labor Party's executive council, Harold Laski, at Madison Square Garden, New York City, September 24, 1945; to the Committee on Foreign Affairs.

1322. By the SPEAKER: Petition of the American Committee for Protection of Foreign Born, petitioning consideration of their resolution with reference to request for emergency legislation to permit the immediate entry into the United States of at least 100,000 Jewish victims of fascism, regardless of quota limitations, and that they be granted asylum by the American people; to the Committee on Immigration and Naturalization.

1323. Also, petition of Campbell Post, No. 596, the American Legion, Campbell, Calif., petitioning consideration of their resolution with reference to its request for funds for the rehabilitation of disabled veterans; to the Committee on Appropriations.

## SENATE

THURSDAY, NOVEMBER 15, 1945

(Legislative day of Monday, October 29, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. W. Emory Hartman, Ph. D., minister of Grace Methodist Church, Harrisburg, Pa., offered the following prayer:

Eternal God, Thou uncreated source of righteousness, truth, and power, let the majesty of Thy presence now humble our hearts and lift up our spirits. Speak Thou this day to the leaders and people of America, that this Nation may become a holy nation, entirely consecrated to Thee.

Direct us, O God, to use wisely our leadership among the nations. May we employ the vast energies of nature and life for the common good and utilize our God-given resources for the enlargement of the common life. Lead us to sacrifice as devotedly in the pursuits of peace as in the efforts of war. Give us compassion for the shelterless, starving, and suffering peoples of all lands and prompt us to share with them our bounties.

Help us to assert fearlessly in the councils of the nations the principles of justice, freedom, and equality. In all our enterprises may we place our reliance upon Thee, the one true God, who alone can save the people. We pray in the name and spirit of Christ. Amen.

#### THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, November 14, 1945, was dispensed with, and the Journal was approved.

#### LEAVES OF ABSENCE

Mr. MAGNUSON. Mr. President, I ask unanimous consent to be absent from the Senate for the next two or three days to attend the American Legion Convention in Chicago as an official delegate from my State department of the Legion.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. OVERTON. Mr. President, I ask unanimous consent to be absent from

the Senate next Friday and next Monday.

The PRESIDENT pro tempore. Without objection, leave is granted.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had severally agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 1015. An act for the relief of G. H. Moore, of Butler, Taylor County, Ga.; and

H. R. 2545. An act for the relief of Florida Rhone Burch.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 784) for the relief of Mr. and Mrs. John T. Webb, Sr.

The message further announced that the House insisted upon its amendment to the bill (S. 90) for the relief of the estate of George O'Hara, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. STIGLER, and Mr. COLE of Kansas were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 693) for the relief of the Saunders Memorial Hospital, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. COMBS, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the bill (S. 842) for the relief of the Elmira Area Soaring Corp., disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. STIGLER, and Mr. COLE of Kansas were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1890) for the relief of the estate of Peter G. Fabian, deceased; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. HEDRICK, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2578) for the relief of Rufus A. Hancock; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. COMBS, and Mr. RAMEY were appointed managers on the part of the House at the conference.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1036. An act to provide for the adjustment of the compensation of certain members or former members of the armed forces